

The District 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 complementary 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 District has developed and implemented a special education procedure manual based on the model prepared by the Wisconsin Department of Public Instruction (DPI), presently without District-specific substantive modifications. The Board has also adopted the DPI model special education forms, presently without District-specific substantive modifications.

The Director of Student Services has 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 procedure manual and model forms.

The Director of Student Services 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**

Special education programs and services are a part of the total educational program in the District and not a separate entity. The legal requirement for school districts to educate students with disabilities is in the least restrictive environment that is appropriate to their individual needs. Consistent with all applicable laws and regulations, it is the expectation that:

1. Students with disabilities participate to the maximum extent possible in regular education programs — academic, non-academic and co-curricular — along with students who do not have disabilities. When making education program and placement decisions, consideration shall be given to the rights and needs of the student with the disability and other students, as well as to the availability of appropriate staff and other resources.
2. The educational progress of students with disabilities is a shared responsibility of both the general education and the special education staff to whom the student is assigned. General education and special education staff collaborate to maximize student learning advancement in the least restrictive environment.
3. Part of determining the least restrictive environment for each student with a disability shall include consideration of programs and services that would enable the student, to the extent appropriate, to participate in chronologically age-appropriate environments.
4. Students with disabilities have access to appropriate academic and behavioral interventions and supports to improve student achievement and promote positive learning experiences, just as students without disabilities have access to such interventions and supports.

Specific educational programs and services for a student with a disability shall be determined by an individualized education program (IEP) team and be based on an assessment of the student's individual needs. Students with disabilities shall participate in academic assessments required by law and the District, with or without accommodations, or in alternate assessments as outlined in the student's IEP.

Within the parameters of state and federal laws governing the operation of programs for students with disabilities, there are due process safeguards for parent rights and appeals. Such provisions shall be adhered to by the District.

The Director of Student Services shall designate 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 Director of Student Services 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.

### **Legal References:**

#### **Wisconsin Statutes**

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|---------------------------------------|--|
| <a href="#">Chapter 115, Subch. V</a> | [educational programs and services for children with disabilities] |
| <a href="#">Section 118.13</a>        | [student nondiscrimination]  |
| <a href="#">Section 118.30(2)(b)1</a> | [state student assessments; children with disabilities]            |
| <a href="#">Section 121.54(3)</a>     | [student transportation; children with disabilities]               |

#### **Wisconsin Administrative Code**

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| <a href="#">PI 11</a> | [educational programs and services for children with disabilities] |
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#### **Federal Laws**

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| <a href="#">Individuals with Disabilities Education Act</a>   | [programs and services for students with disabilities] |
| <a href="#">Section 504 of the Rehabilitation Act of 1973</a> | [disability discrimination; reasonable accommodations] |

[Americans with Disabilities Act](#)

[disability discrimination; reasonable accommodations]

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