

SECTION 2

FULL EDUCATIONAL OPPORTUNITY

POLICY

It shall be the policy of each LEA in the SELPA that all pupils with disabilities have access to educational programs, nonacademic programs, and services available to non-disabled pupils.

State Education Code Reference: 56205 (a)
Federal References: 20 USC Section 1412 (a) (2)

SECTION 2

FULL EDUCATIONAL OPPORTUNITY

PROCEDURES

2.A.1. PROVISION OF ACCESS TO A VARIETY OF PROGRAMS AND SERVICES

Participating Local Education Agencies (LEAs) will be responsible for assuring this access utilizing monitoring practices during IEP reviews, program reviews, or as specified, elsewhere in this section.

2.A.2. PROVISION OF ALL IEP SERVICES TO SUSPENDED AND EXPELLED STUDENTS

Districts are responsible for monitoring the pattern in frequency of suspension for all special education students. An IEP meeting is held to review the functional behavior assessment or the behavior plan and to conduct a manifestation determination for all special education students with a pattern in frequency of suspension and for those being considered for expulsion. If the IEP team determines that the behavior is not related to a student's disability, program placement, or services the expulsion can proceed, unless the parent/guardian files for due process to determine if the student's disability, program or placement was related to the behavior. If a student with a disability has been removed from his/her current placement for more than 10 school days in that school year, the district of residence must continue to provide all IEP services pending the outcome of the manifestation determination and as determined by subsequent IEP team decisions regarding the determination of the appropriate educational placement and services.

(See guidelines section)

2.B.1. PROCEDURES FOR ENSURING THAT ALL IEP REQUIREMENTS FOR NONPUBLIC, NONSECTARIAN STUDENTS ARE MET

Each LEA that utilizes the SELPA to contract with a nonpublic, nonsectarian school (NPS) shall evaluate the placement of its pupil(s) in such schools on at least an annual basis as part of the annual IEP review. The SELPA shall review the master contract, the individual services agreement, and the IEP to ensure that all services agreed upon and specified in the IEP are provided.

2.B.2. PROCEDURES FOR EVALUATING PROGRESS OF STUDENTS IN NONPUBLIC, NONSECTARIAN SCHOOLS

NPSs are required by the master contract and the IEP to annually evaluate the pupils to determine if they are making appropriate educational progress. The SELPA (for GC 26.5 NPS residential placements) or LEA (for other NPS placements) case manager shall

collaboratively review with the NPS the evaluations or reports of progress completed by the NPS to ensure that they were appropriate and valid for measuring pupil progress. The SELPA or LEA may choose to administer additional assessments as necessary, with parent consent, to determine whether the pupil is making appropriate educational progress. In addition, an IEP review may also be requested at anytime by the parents, NPS, SELPA, or LEA.

2.C.1. PROCEDURE TO ENSURE SERVICES IN JUVENILE HALL, JUVENILE COURT AND COMMUNITY SCHOOLS

Students in the juvenile court system or attend community schools and are eligible for special education instruction and/or services are provided the same procedural safeguards as those students enrolled in our school system. The same procedures for identification, referral, placement, and review apply.