

Section: Series 300: Instruction  
Code Title: **PROGRAMS FOR STUDENTS WITH DISABILITIES**  
Policy Code: **342.10**  
Adopted: May 14, 2018

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 without District-specific substantive modifications. The Board has also adopted the DPI model special education forms, presently without 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 prior to implementation.

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. To the extent the administration designates an employee as an LEA representative whose current job description does not expressly include that responsibility, the District Administrator shall determine whether the applicable job description should be modified and advise the Board accordingly.

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.

### **Legal References:**

#### **Wisconsin Statutes**

<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**

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

<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]
<a href="#">Americans with Disabilities Act</a>	[disability discrimination; reasonable accommodations]