

Oak Creek-Franklin Joint School District Board of Education

Policy 341: SPECIAL EDUCATION PROGRAMS

The School Board, as the governing body of a local education agency (LEA), affirms its responsibility to make appropriate special education programs and related services available to students with disabilities in accordance with state and federal laws and regulations and the policies and procedures contained within the District's special education manual.

The Director of Student Services shall be the LEA-authorized official who shall have authority to adopt, modify and implement such special education policies and procedures as are necessary to meet legal mandates and as are deemed necessary for the District to implement its special education program. However, the LEA-authorized official shall not have authority to adopt, without first obtaining Board approval, new discretionary policies or discretionary procedures that obligate District funds in a manner not already allocated for such purpose within the Board-approved School District budget. The LEA-authorized official shall regularly report to the Board, at least once annually, on substantive modifications and updates to the District's special education policies and procedures that have occurred since the last Board update.

The Director of Student Services shall have responsibility for completing all special education report forms, audit materials and District plans as may be required by any state or federal agency.

The Board recognizes that special education programs and services are a part of the total educational program in the District and not a separate entity. The Board also recognizes the legal requirement for school districts to educate students with disabilities in the least restrictive environment that is appropriate to their individual needs. Consistent with all applicable laws and regulations, it is the expectation of the Board 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. 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.
3. Programs for students with disabilities shall not be unnecessarily concentrated in particular school facilities.

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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.

Parents of children with disabilities shall be included in all activities relative to referral process, as outlined in state and federal requirements. Parents shall be informed of their rights to due process throughout these procedures. The school district shall continuously review its special education programs including administrative, support, and teaching staff who are involved with disabled children.

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.

Legal References:

Wisconsin Statutes

[Chapter 115](#), Subchapter V [educational programs and services for children with disabilities]

[Section 118.13](#) [student nondiscrimination]

[Section 118.30\(2\)\(b\)1](#) [state student assessments; children with disabilities]

[Section 121.54\(3\)](#) [student transportation; children with disabilities]

Wisconsin Administrative Code

[PI 11](#) [educational programs and services for children with disabilities]

Federal Laws

[Individuals with Disabilities Education Act](#) [programs and services for students with disabilities]

[Section 504 of the Rehabilitation Act of 1973](#) [disability discrimination; reasonable accommodations]

[Americans with Disabilities Act](#) [disability discrimination; reasonable accommodations]

Cross References: Special Education Policy and Procedural Handbook

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