

**SPECIAL EDUCATION AND RELATED SERVICES FOR ELIGIBLE STUDENTS**

The NWESD 189 recognizes that students whose disabilities adversely impact educational performance and who require specially designed instruction can improve their educational performance when they receive special education and related services tailored to fit their needs. The NWESD 189 supports the state's full educational opportunity goal to provide students in need of special education services with a free appropriate public education.

The NWESD 189 is not a local education agency with responsibility to provide special education services other than those services agreed upon between the NWESD 189 and a member school district through an interlocal agreement. All special education services are provided through this interlocal agreement using an Individualized Education Program (IEP) agreed upon by the member district.

Each eligible special education student who receives his public education through the NWESD 189 cooperative programs will be afforded a full education opportunity. This goal will be met (consistent with the state's goals) through ensuring the provision of a free appropriate public education, complying with state and local procedures, and improving goal performance indicators.

The NWESD 189 shall comply with state and federal requirements for special education. The NWESD 189 will operate special education programs consistent with the assurances agreed upon in the interlocal agreement governing the program. The NWESD 189 will follow the procedures adopted by the sending school district that are consistent with state and federal laws and rules to implement the following:

- 1) free appropriate public education;
- 2) confidentiality of personally identifiable information;
- 3) identification, evaluation, eligibility, and re-evaluation;
- 4) participation in assessments;
- 5) assisting with the development of Individualized Education Program (IEP) and consideration of placement options;
- 6) facilitating participation in general education opportunities with non-disabled peers as the Least Restrictive Environment (LRE) determined through the IEP process;
- 7) procedural safeguards;
- 8) parent participation;
- 9) transition from Part C to Part B services for preschool children, as prescribed by federal law;

- 10) staff qualifications and personnel development; and
- 11) program administration and evaluation.

Not all students with disabilities are eligible for special education services. The needs of each student will be addressed individually and provided appropriate accommodations or modifications required under §504 of the Rehabilitation Act, Title II of the Americans with Disabilities Act, and the Washington laws against discrimination, in accordance with an individualized learning plan provided by the member district.

**Free Appropriate Public Education (FAPE)**

The NWESD 189 shall provide all eligible students with disabilities, aged three (3) through twenty-one (21), with a free appropriate public education, which consists of special education, necessary related services, and supplemental aids and services provided:

- 1) at public expense through the provision of services granted under the interlocal agreement entered into through the student’s resident school district and NWESD 189, under NWESD 189 supervision and direction;
- 2) in compliance with the standards of the state educational public agency;
- 3) to include preschool, elementary, and secondary educational opportunities; and
- 4) in conformity with an Individualized Education Program (IEP) constructed and implemented under the authority of the student’s resident school district which meets the requirements of special education rules.

Such educational and support services may extend beyond the traditional 180-day school calendar year if necessary to provide an individual eligible student with a free appropriate public education.

Confidentiality of Personally Identifiable Information-In addition to complying with the NWESD 189 policies and state and federal law on the confidentiality of all students records, the Superintendent is directed to develop procedures to implement confidentiality requirements that are consistent with state special education rules.

This includes informing parents of students or eligible students of their right to confidentiality, at least annually, through appropriate notice.

First Reading:	03/28/01	Reference:	
Second Reading:	04/25/01		RCW 28A.605.020
Revised:	02/27/08		RCW 28A.155
Revised:	02/27/08		RCW 49.60
Revised:	10/27/10		WAC 392-172A
			20 USC 1400 et seq.

29 U.S.C. 794

42 U.S.C. 12131-12133

28 CFR Part 35

34 CFR Part 99

34 CFR Part 104

34 CFR Part 300

34 CFR Part 303

Cross Reference:

Policy 3241 Policy 3231

(cf. 3323 Long-term Suspensions)