

SPECIAL EDUCATION AND RELATED SERVICES FOR ELIGIBLE STUDENTS PROCEDURES

The purpose of the NWESD 189's special education program procedures is to address program areas where state and federal regulations require specific local procedures or permit local discretionary choices.

The state regulations governing implementation of special education services pursuant to the Individuals with Disabilities Education Improvement Act (IDEA) are addressed in Chapter 392-172A WAC. These procedures do not address all of the requirements established in the regulations. NWESD 189 personnel who are not familiar with the regulations are to contact the Special Programs Director if there are questions regarding special education. These procedures describe how the NWESD 189 implements its special education program, but do not add rights or services not required by state and federal laws and rules.

The NWESD 189 will utilize the special education procedures of the cooperative member district in the implementation of Policy 2161, *Special Education and Related Services for Eligible Students*. However, the NWESD 189 will use procedural compliance forms that are specific to the cooperative program providing the service.

The provision of a Free and Appropriate Public Education (FAPE) is the responsibility of the student's resident school district. All services to students are provided with the full consent of the student's resident school district under the provisions of the interlocal agreement.

Parent Participation in Meetings

The NWESD 189 encourages parental involvement and sharing of information between NWESD 189, referring districts, and parents to support the provision of appropriate services to its students. As used in these procedures, the term "parent" includes biological and adoptive parents, legal guardians, persons acting in the place of the parent, such as relatives and stepparents, foster parents, persons appointed as surrogate parents, and adult students.

Parents will be provided the opportunity to participate in any meetings with respect to the identification, evaluation, educational placement, and provision of a FAPE, as it pertains to their child/student. Student participation in the educational process is also encouraged through meeting attendance.

A meeting does not include informal or unscheduled conversations involving referring district or NWESD 189 personnel; conversations on issues such as teaching methodology, lesson plans, coordination of service provision; or preparatory activities that referring district and/or NWESD 189 personnel engage in to develop a proposal or a response to a parent proposal to be discussed at a later meeting.

Confidentiality and Records Management

The Superintendent or designee is responsible for maintaining the confidentiality of personally identifiable information pertaining to special education and all other students. The NWESD 189 will maintain, for public inspection, a current list of the names and positions of NWESD 189 employees who have access to personally identifiable information of special education students. The NWESD 189 will provide parent and adult students, upon request, a list of the types and locations of educational records collected, maintained and/or used by the NESD 189.

The NWESD 189 will provide instruction annually to employees collecting or using personally identifiable information on the procedures to protect the confidentiality of personally identifiable information. Training will address the protections outlined in WAC 392-172A, state law and federal regulations implementing the *Family Educational Rights and Privacy Act (FERPA)* (34 CFR Part 99).

The NWESD 189 follows the guidelines for records retention outlined in the Secretary of State's, *General Records Retention Schedule and Records Management Manual*. Records management is also governed by Policy and Procedure 4040, Public Access to NWESD 189 Records.

Presented to Board: 03/28/01
Revised: 01/23/08
Revised: 10/27/10
Revised: 12/15/14