



# Mitchell School District 17-2 POLICY

Category	Approval								
Series 900 : Students	<table><tr><td>Adopted</td><td>Revised</td></tr><tr><td>6/11/90</td><td>10/23/00, 10/22/01, 10/12/09</td></tr><tr><td colspan="2">Reviewed</td></tr><tr><td colspan="2">9/12/05, 6/24/13, 5/24/21</td></tr></table>	Adopted	Revised	6/11/90	10/23/00, 10/22/01, 10/12/09	Reviewed		9/12/05, 6/24/13, 5/24/21	
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## Special Services Operational Policies

**MSD 942**

### **A. Full Program Services Goal**

It is the goal of the Mitchell School District to provide full educational opportunity to all children with disabilities, aged birth through twenty-one, consistent with the timetable established in the South Dakota State Plan for Part B of the Individuals with Disabilities Education Act (IDEA).

### **B. Child Identification**

The Mitchell School District shall develop and utilize a system for the identification, location, and evaluation of children in need of special education or special education and related services. The system must include all children residing within the jurisdiction of the district ages birth through age 21, regardless of the severity of their disability, including children in all public and private agencies and institutions within the legal boundaries of the district.

### **C. Referral Procedures**

The Mitchell School District shall establish and implement procedures for the referral of students who may be in need of special education to appropriate school district administrators.

### **D. Evaluation Procedures**

The Mitchell School District shall establish and implement procedures for evaluating students suspected of having a disabling condition and in need of special education and related services, including nondiscriminatory practices, pre-placement evaluation, general evaluation procedures, reevaluation, evaluation for specific learning disabilities, and short-term evaluation programs.

Testing and evaluation materials and procedures used for the purpose of evaluation and placement of children with disabilities must be selected and administered so as not to be racially or culturally discriminatory.

Before any action is taken concerning the initial placement of a child with a disability in a special education program, a full and individual evaluation of the child's educational needs must be conducted in accordance with district procedures. Evaluations must be completed within 25 school days of receipt by the district of parent permission to evaluate unless other timelines are agreed to by the school administration and the parents.

### **E. Placement Procedures**

The Mitchell School District shall establish and implement procedures for the placement of eligible students in special education programs, including general procedures, placement committee membership/functions, and parent participation.

**F. Individual Educational Program**

The Mitchell School District shall establish and implement procedures for the development, review and revision of individual educational programs, including general procedures, determination of related services, vocational education services, and graduation requirements as a function of the IEP process.

The district must provide a child in need of special education or special education and related services with services in accordance with an individual educational program. However, no school district, teacher, or other person may be held accountable if a child does not achieve the growth projected in the annual goals and objectives.

Related services shall be provided at no cost to the parent when recommended by the IEP Team, and include but are not limited to speech pathology, audiological services, psychological services, physical and occupational therapy, recreation, early identification and assessment of disabilities in children, counseling services, medical services for diagnostic or evaluation purposes, school health services, social work services in schools, and parent counseling and training. Medical services, as a related service, may only be authorized by a placement committee for diagnostic or evaluation purposes.

**G. Least Restrictive Environment**

The Mitchell School District shall establish and implement procedures for educating children with disabilities in the least restrictive environment. However, the LRE must also ensure that children in need of special education and related services receive those services. Removal from the regular educational classroom shall occur only when the nature or severity of the child's needs is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

**H. Procedural Safeguards**

The Mitchell School District shall establish and implement procedural safeguards, including independent educational evaluation, prior notice and parent consent, impartial due process hearing, and appointment of surrogate parent.

**I. Confidentiality of Information**

The Mitchell School District shall develop and implement policies and procedures on the confidentiality of information consistent with Part B of the Individuals with Disabilities Education Act and the Family Educational Rights and Privacy Act.

The parents of a child in need of special education or special education and related services shall be afforded, in accordance with school board policy, an opportunity to inspect and review all educational records concerning the identification, evaluation, and educational placement of the child and the provision of a free appropriate public education to the child.

**J. Private School Placement**

The Mitchell School District shall establish and implement procedures for the placement or referral of eligible children to a private school or facility by the district as a means of providing special education or special education and related services.

**K. Voluntary Enrollment in NonPublic Schools**

The Mitchell School District shall provide students voluntarily enrolled in private schools with a genuine opportunity for equitable participation in accordance with the requirements in this part and the Individuals with Disabilities Education Act.

The district shall provide special education and related services designed to meet the needs of eligible private school children residing in the jurisdiction of the district consistent with state requirements. The district shall maintain continuing administrative direction and control over funds and property that benefit students voluntarily enrolled in private schools.

**L. Extended School Year**

The Mitchell School District shall establish and implement procedures for the provision of extended school year services to eligible children with disabilities, when necessary.

**M. Suspension from School**

The suspension of students in need of special education or special education and related services shall include the general due process procedures used for all students and the additional steps in the process that a district must take when the action, behavior, or activity which resulted in the long-term suspension or expulsion is the result of a student's disability.

**N. Staff Development**

Annually the Mitchell School District shall complete a comprehensive special education needs assessment form provided by the division of education, section of special education.

**O. Employment of Special Education Personnel**

The Mitchell School District shall, to the extent possible, employ special education personnel who have the special education endorsement as required by state administrative rules, including child evaluators.

**P. Comparable Facilities, Materials, and Equipment**

The Mitchell School District shall ensure that facilities, materials, and equipment used for special education are comparable to those in regular education.

Adopted: 6/11/90

Revised: 10-23-00, 10/22/01, 10/12/09

Reviewed: 9/12/05, 6/24/13

This policy was adopted as 941 on October 23, 2000. Prior to this, it was numbered 111. It was renumbered because its content better fits with instruction. The 10/22/01 revision simply renumbered the policy from 941 to 942.

10/12/09 – revision deleted several references to 'Education of the Handicapped, Part B', replacing them with "Individuals with Disabilities Education Act".