

MOUNT BAKER POLICY 2161 **SPECIAL EDUCATION AND RELATED SERVICES FOR ELIGIBLE STUDENTS**

The board 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 district adopts the state's full educational opportunity goal to provide students in need of special education services with a free appropriate public education.

Special education programs for eligible students will be an integral part of the general educational programs of this district, and will be operated in compliance with federal and state requirements governing special education. The district will provide a continuum of placement options, which may include services within and outside the district depending on the student's needs.

Not all students with disabilities are eligible for special education services. The needs of those students will be addressed individually and if, appropriate, the student will be provided accommodations or modifications required under Section 504 of the Rehabilitation Act in accordance with district policy and procedures.

Mediation or Resolution Agreements

The board authorizes the superintendent or a designee to bind the district to a mediation or resolution agreement.

Commencement Exercises/Certificate of Attendance

In order to participate in commencement exercises, students must have met the minimum criteria for graduation prior to the date of the exercise and otherwise be in good standing with their school through the commencement date. Minimum criteria for participation may be adjusted for students with an IEP whose disabilities have impacted their opportunity to accumulate credits. Each student's IEP team will determine the student's graduation plan, including graduation date. IEP students who have attended four years of high school and need additional time to complete IEP goals and/or credits may request participation in commencement exercises. IEP students will receive a certificate of attendance until they complete their credits for graduation.

The district superintendent will develop and maintain special education procedures necessary to implement this policy. This policy and the procedures will be available to the public.

Cross Reference:

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| MB Policy 2162 | Education of Students with Disabilities under Section 504 |
| MB Policy 2163 | Response to Intervention |
| MB Policy 2410 | High School Graduation Requirements |
| MB Policy 3231 | Student Records |
| MB Policy 3241 | Classroom Management, Discipline, and Corrective Action |
| MB Policy 3247 | Required Notification of Isolation or Restraint of Students with IEPs or Section 504 Plans |

Legal References:

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| Chapter 28A.155 RCW | Special Education |
| RCW 28A.600.485 | Restraint of students with individualized education programs or plans developed under section 504 of the rehabilitation act of 1973 — Procedures — Definitions. |
| RCW 28A.600.486 | District policy on use of isolation or restraint – Notice to parents and guardians of children who have individualized education programs or plans |

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| RCW 28A.605.020 | developed under section 504 of the rehabilitation act of 1973. |
| Chapter 49.60 RCW | Parents' Access to Classroom or School Sponsored Activities — Limitation |
| Chapter 392-172A, WAC | Discrimination — human rights commission |
| 29 U.S.C. 794 | Rules for the Provision of Special Education |
| | Section 504 of the Rehabilitation Act of 1973, as amended by the |
| | Rehabilitation Act Amendments of 1974, Pub. L. 93 516, 29 U.S.C. 794 |
| 20 U.S.C. 1400 et seq. | Individuals with Disabilities Education Act of 2004 |
| 42 U.S.C. 12131-12133 | Americans with Disabilities Act of 1990 |
| 28 CFR Part 35 | Nondiscrimination on the Basis of Disability n State and Local Government |
| | Services |
| 34 CFR Part 99 | Family Education Rights and Privacy Act (FERPA) |
| 34 CFR Part 104 | Nondiscrimination on the basis of handicap in programs and activities |
| | receiving federal financial assistance |
| 34 CFR Part 300 | Assistance to States for the Education of Children With Disabilities |
| 34 CFR Part 303 | Early Intervention Program for Infants and Toddlers with Disabilities |

Management Resources:

Policy & Legal News, March 2016

Policy Alert, June 2014

Policy News, October 2009 — Special Education Rules Revisions

Policy News, December 2007 — Updated Special Education Policy and Procedure

Policy News, June 2007 — Graduation Ceremonies for Special Education Students

Policy News, December 1999 — Rule Adoption Leads to Special Education Policy