

#### **4.49 -- Special Education - School Board Policy**

The district shall provide free, appropriate public education and necessary related services to all children with disabilities residing within the district, as required under the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, and Arkansas Statutes.

The district intends to ensure that students who are disabled within the definition of Section 504 of the Rehabilitation Act of 1973 are identified, evaluated, and provided with appropriate educational services. Students may be disabled within the meaning of Section 504 of the Rehabilitation Act even though they are not required according to the IDEA.

For students eligible for services under IDEA, the District shall follow procedures for identification, evaluation, placement, and delivery of services to children with disabilities provided in state and federal statutes governing special education. Implementation of an Individualized Education Program (IEP) per the IDEA, satisfies the district's obligation to provide a free and appropriate education under Section 504.

The Board directs the superintendent to ensure procedures are in place for the implementation of special education services and that programs are developed to conform to the requirements of state and federal legislation. The superintendent is responsible for appointing a district coordinator to oversee the district's fulfillment of its responsibilities regarding students with disabilities. Among the coordinator's responsibilities shall be ensuring district enforcement of the due process rights of students with disabilities and their parents.

Legal References: 34 C.F.R. 300 et seq. 42 U.S.C. § 12101 et seq. Americans with Disabilities Act  
29 U.S.C. § 794 Rehabilitation Act of 1973, Section 504, A.C.A. § 6-41-102 A.C.A. § 6-41-103  
20 U.S.C. § 1400 et seq. Individuals with Disabilities Education Act, A.C.A. § 6-41-201 et seq.,  
P.L. 108-446 the 2004 Reauthorization of the Individuals with Disabilities Act  
Date Adopted: June 2009

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