



# SHONTO GOVERNING BOARD OF EDUCATION, INC.

## Policy Statement

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**SUBJECT:** *Exceptional Student Services (HS)*  
**POLICY CODE:** *IHBA*  
**DATE OF ORIGINAL POLICY:** 08/04/2009

**EFFECTIVE DATE:** 1/8/2021  
**DATE OF NEXT REVIEW:** 1/8/2024  
**DATED:** 1/8/2021

### I. PHILOSOPHY

The Governing Board believes that the delivery of Exceptional Student Services must be in compliance and appropriate in order to maximize the education of students with disabilities. The Every Student Succeeds Act (ESSA) December 10, 2015. The Individuals with Disabilities Education Improvement Act (IDEIA) of 2004, *the reauthorization of the Individuals with Disabilities Education Act (IDEA) of 1997*, was signed into law on December 3, 2004. Final Regulations were published in Volume 71, Number 156 of the Code of Federal Regulations (CFR) on August 14, 2006, as 34 CFR Parts 300 and 301. The Regulations became effective on October 13, 2006. The Acts are commonly referred to as IDEA 2004 and IDEA 1997, respectively. A long-range plan will be the basis for providing exceptional student services for students with exceptional needs and education requirements. These services may include specialized programs, personnel, facilities, materials, and equipment needed to promote the individual, physical, social, intellectual, and emotional growth of exceptional students. Therefore, the Governing Board establishes the following policy:

### II. POLICY STATEMENT:

It is the policy of the Governing Board that Shonto Preparatory School District shall develop procedures that provide educational opportunities for individuals with disabilities and that accomplish school compliance with federal laws including ESSA, the Individuals with Disabilities Education Act (IDEA), the Arizona revised statutes, and the lawful regulations of the State Board of Education.

### III. EXCEPTIONS TO POLICY:

None.

### IV. AMPLIFYING INSTRUCTIONS AND GUIDELINES:

The Superintendent of Schools is authorized and directed to establish procedures for the development and administration of the necessary programs, and to document School compliance with the law and this policy. Such procedures will be made available to staff members and to parents as necessary to enhance compliance. Such procedures shall include, but not be limited to, the following provisions:

#### A. ***IDENTIFICATION OF STUDENTS WITH DISABILITIES***

All children with disabilities aged birth (0) through twenty-one (21) years within the School's population served are to be identified, located, and evaluated including children attending religious or private schools who are in need of Exceptional Student Services and/or related services.





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**B. *FREE AND APPROPRIATE EDUCATION (FAPE)***

A free appropriate public education (FAPE) shall be available to all children with disabilities aged three (3) through twenty-one (21) years within the School's population served, including children advancing from grade to grade, those who have been suspended or expelled from school in accordance with the applicable IDEA rules and regulations, and any child with a disability the School has placed in or referred to private school or facility. The School may refer to and contract with approved public or private agencies as necessary to ensure the provision of FAPE for children with disabilities. FAPE for an eligible student with a disability shall extend through conclusion of the instructional year during which the student attains the age of twenty-two (22).

**C. *INDIVIDUAL STUDENT EVALUATIONS***

A full individual evaluation encompassing existing and additional data shall be conducted for each child to determine if the child is a child with a disability and the educational needs of the child before the initial provision of Exceptional Student Services and/or related services. A reevaluation of each child shall be conducted at least every third year.

**D. *INDIVIDUALIZED EDUCATION PLAN (IEP)***

An individualized education plan (IEP) shall be developed and implemented for each eligible child served by the School and for each eligible child the School places in or refers to a private school or facility. An IEP or an individualized family service plan (IFSP) will be in place for each child with a disability prior to the provision of FAPE.

**E. *LEAST RESTRICTIVE ENVIRONMENT***

To the maximum extent appropriate, opportunities for the least restrictive setting, inclusion in educational exercises with regular program students, and for interaction with the total school environment will be provided to exceptional students, the exception to be only when the student's condition, with supplementary aids and services, make such regular class education unsatisfactory.

**F. *PROCEDURAL SAFEGUARDS***

All required procedural safeguards must be guaranteed to the exceptional students and their parents. The parents will be provided with notices of procedural safeguards in each specified instance and all due process conditions will be satisfied with respect to the provision of a free appropriate public education.

**G. *CONFIDENTIALITY***

The School shall follow the established state and federal standards to protect the confidentiality of personally identifiable information at the collection, storage, disclosure, and destruction stages.



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### **H. STIPULATION OF FREE AND APPROPRIATE EDUCATION (FAPE)**

To the extent essential to provide FAPE to children with disabilities aged three (3) through twenty-one (21), extended school year (ESY) services shall be made available and implemented as necessary.

### **I. GRADUATION OF STUDENTS WITH DISABILITIES CRITERIA**

Criteria for the graduation of exceptional students, including accomplishment in reading, writing, and mathematics, shall be as specified in the School policy on graduation requirements. Such standards shall be equivalent to or greater than those established by the State Board of Education.

### **J. STUDENT-TEACHER RATIO**

Each year conduct a review of the reasonable and acceptable ratio of students per teacher for each disability category. The applicable ratios shall be specified in a regulation accompanying the School policy on class size.

### **K. DISCIPLINE OF EXCEPTIONAL EDUCATION STUDENTS**

The discipline of exceptional students, and unevaluated students suspected of having a qualifying disability, is to be conducted in such a manner as to comply with FAPE and requirements of the IDEA.

## **V. DELEGATION OF AUTHORITY**

- A. The Superintendent is directly responsible for enforcing and communicating this policy to all appropriate parties and enforcing its provisions.
- B. The School Principal is responsible of communicating this policy to all appropriate parties and enforcing its provisions.
- C. Each Exceptional Education Service Teacher is responsible for communicating this policy to all staff and parents/legal guardians under his/her jurisdiction.

## **VI. REPORTS**

None.





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### VII. LEGAL CROSS REFERENCES

ARS 15-761	15-764	15-881
15-761.01	15-765 to 15-769	15-1181 to 15-1185
15-763	15-771	15-1201 to 15-1205
15-763.01	15-773	36-555
AAC R7-2-401	R7-2-405	R7-2-603
R7-2-402	R7-2-601	R7-2-403
R7-2-602		
20 USC 1400 <i>et seq.</i> , Individuals with Disabilities Act		
29 USC 794, Rehabilitation Act of 1973 (Section 504)		

Cross Ref.: IIB – Class

- IKE- Promotion, Retention, and Acceleration of Students
- IKF- Graduation Requirements
- JKD- Student Suspension
- JKE- Expulsion of Students
- JR *et seq.*- Student Records

### VIII. EXPIRATION DATE

This policy will remain in effect until revised or amended.

### IX. SIGNATURE BLOCK

Submitted by: Melvin Owaraku

Date: 01/08/2021

1<sup>st</sup> Reading: October 6, 2020

2<sup>nd</sup> Reading: December 30, 2020

3<sup>rd</sup> Reading: January 8, 2021

Established: Tom Franklin

Mr. Tom Franklin Jr., Board President  
Shonto Governing Board of Education, Inc.