

## Special Education Policies and Procedures

All schools in M.S.A.D.#30 will comply with the policies and procedures set forth in Chapter 101: *Maine Special Education Regulations*. These regulations govern the provision of equal educational opportunities / free appropriate public education (F.A.P.E.) in the least restrictive educational alternative to all students with disabilities between the ages of 5 and 20, who are enrolled in the schools and are residents of the State of Maine.

Maine law (20-A M.R.S.A. Chapters 301 and 303) entitles all school-age students with disabilities to an equal educational opportunity / free appropriate public education. This objective is to be implemented by school administrative districts or units and private schools approved for the provision of special education and supportive services through implementation of the policies and procedures required in these regulations.

These regulations are intended to satisfy the State's obligations under the Federal Individuals with Disabilities Education Act (P.L. 105-17, 20 U.S.C. 1401 et seq.) and all implementing regulations.

The general principles governing the provision of a free appropriate public education for students with disabilities are set forth in these regulations. No student with a disability may be excluded from the benefits of a free appropriate public education, regardless of the nature or severity of the student's disability. An appropriate education shall include the provision of regular and / or special education and supportive services that are designed to properly meet the individual educational needs of students with disabilities based on the procedures set forth in this rule and applicable federal law.

The guarantee of equal educational opportunity also entitles each student who has been identified as needing special education, and has been suspended or expelled, to be provided with a free appropriate public education that emphasizes special education and supportive services designed to meet their unique educational needs and prepare them for employment and independent living. This applies whether or not the behavior that led to the suspension or expulsion was a manifestation of the student's disability. This education includes special education and supportive services which:

1. Are provided at public expense, under public supervision and direction, and at no cost to the parents;
2. Meet the standards and personnel qualifications required by these regulations;
3. Are appropriate to the special needs of the student as defined in an Individualized Education Program; and
4. Are provided in the least restrictive educational alternative.  
The special education process for which M.S.A.D.#30 is responsible must include the following components:

1. A child find process to determine what children in the communities comprising the school administrative district may have disabilities requiring special education and/or supportive services;
2. A referral process to determine what school-age students may require special education and/or supportive services;
3. Notification to the parent(s) of students who are being referred, and a request for the parent(s) to sign the Consent for Evaluation form.
4. A Pupil Evaluation Team (P.E.T.) meeting, which includes the parents, regular education teachers, special educators, administrator, and student (when appropriate) to order or discuss evaluations and determine if the student is eligible for special education and/or supportive services. The parents are entitled to bring advocates or other persons who are knowledgeable about their child to the PET. The agenda for the meeting must include: the purpose, statement of confidentiality, review of findings from the various evaluation instruments, review of a classroom observation that had been completed by qualified staff, report from regular education personnel regarding the child's progress in the regular education program, and a determination of eligibility. When a student has been determined to be eligible for services, a PET will develop an Individualized Education Program, consistent with these regulations, to stipulate what special education and supportive services are appropriate to meet the student's unique educational needs, and must address transitioning needs. Before services can be provided, the parent must sign a Consent for Placement.
5. The PET will reconvene at least annually to review the student's program and make any revisions that are necessary to meet the student's educational needs, and will reconvene every three years to determine if the student still qualifies for services.

The special education process affords special rights to students with disabilities and their parents through "due process" protections. If a parent does not agree with the proposed evaluation, identification, program, or placement, the parent may request mediation, file a complaint, or request a due process hearing. The parent can do so through the Office of Special Services at The Edith Lombard School, P.O. Box 2, Springfield, ME 04487, or 738-3815; through the State Department of Special Education, Division of Special Services (287-5950); or the Special Needs Parent Information Network [S.P.I.N.] (1-800-870-7746). The parent(s) are afforded three procedural safeguards during the Pupil Evaluation Team process: 1. the school may not assess the child until the parent(s) signs a Consent for Evaluation form, 2. the parents are encouraged to participate in the identification process by attending the Pupil Evaluation Team meeting and bringing an advocate or other persons who know their child, and 3. the parent(s) must sign a Consent for Placement form before services can be provided.

All terms used in these regulations shall have the meanings established by applicable State and Federal law.

Approved by the Board of Directors of M.S.A.D.#30: August 6, 2002

