

IHBA – PROGRAMS FOR CHILDREN WITH DISABILITIES

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

It is the intent of the District 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 do not require services pursuant 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 federal and state statutes, which govern special education. For those students who are not eligible for services under IDEA, but because of a qualifying disability as defined by Section 504 of the Rehabilitation Act of 1973, need or are believed to need special instruction or related services, the District shall establish and implement a system of procedural safeguards. The safeguards shall cover students' identification, evaluation, educational safeguards, and educational placement. This system shall include notice, opportunity for the student's parent(s)/guardian(s) to examine relevant records, and impartial hearing with opportunity for participation by the student's parent(s)/guardian(s), and representation by counsel, the right to be represented by legal counsel, and review procedure.

The District recognizes its obligation to provide an education for all students determined to be educationally disabled and in need of special education and related services. This obligation shall begin when a student reaches three years of age and shall continue until the student reaches 22 years of age at his/her birthday or until such time as he/she receives a high school diploma, whichever occurs first, or until the child's Individualized Education Program (IEP) Team determines that the child no longer requires special education in accordance with federal and state law. At the discretion of the Superintendent and/or his/her designee, students who reach the age of 22 during the academic year may be allowed to complete the remainder of the school year.

The Superintendent or his/her designee shall establish and maintain procedures in accordance with law to ensure that children with disabilities and their parents are guaranteed procedural safeguards with respect to the provision of a free and appropriate public education.

Statutory/Regulatory/Policy/Handbook Cross References

20 U.S.C. § 1400 et seq. (Individuals with Disabilities Education Act)

34 C.F.R. § 300 et seq. (Assistance to the States for the Education of Children with Disabilities)

RSA 186-C (Special Education)

Ed 1100 (Standards for the Education of Students with Disabilities)

Handbook (Parent)

APPROVED/REVISED: July 21, 2011, May 7, 2015, April 6, 2023

PREVIOUS POLICY: None