

PROGRAMS FOR PUPILS 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 Act (IDEA), Section 504 of the Rehabilitation Act of 1973, and the American 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 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, and educational placement.

This system shall include:

- notice;
- an opportunity for the student's parent(s) or guardian(s) to examine relevant records;
- an impartial hearing with opportunity for participation by the students' parents or guardians;
- representation by 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's 22nd birthday or until such time as they receive 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.

Legal 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

N.H. Code of Administrative Rules, Section Ed. 1100, Standards for the Education of Students With Disabilities

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