Crook County School District

Code: IGBAJ
Adopted: 12/16/13
Revised/Readopted: 1/13/20
Orig. Code: IGBAJ

Special Education - Free Appropriate Public Education (FAPE)**

1. The district admits all resident school age children with disabilities and makes special education and related services available at no cost to those:

    a. Who have reached five years of age but have not yet reached 21 years of age on or before September 1 of the current school year, even if they are advancing from grade to grade;
    b. Who have not graduated with a regular diploma;
    c. Who have been suspended or expelled in accordance with special education discipline provisions; or
    d. Who reach age 21 before the end of the school year. These students remain eligible until the end of the school year in which they reach 21.

2. The district determines residency in accordance with Oregon law.

3. The district takes steps to ensure that its children with disabilities have available to them the variety of educational programs and services available to non-disabled children in the area served by the district and provides a continuum of services to meet the individual special education needs of all resident children with disabilities, and children with disabilities who are enrolled in public charter schools located in the district.

4. The district may, but is not required to, provide special education and related services to a student who has graduated with a regular diploma.

5. State law prohibits the district from recommending to parents, or requiring a child to obtain, a prescription for medication to affect or alter thought processes, mood or behavior as a condition of attending school, receiving an evaluation to determine eligibility for early childhood special education or special education, or receiving special education services.

6. If the individualized education program (IE)P team determines that placement in a public or private residential program is necessary to provide FAPE, the program, including non-medical care and room and board, must be at no cost to the parents of the child.

7. If a parent revokes consent for student receiving special education and related services the district will not considered to be in violation of the requirement to make FAPE available to the student because of the failure to provide the student with further special education and related services.

END OF POLICY

Legal Reference(s):

ORS 338.165
ORS 339.115
ORS 343.085
ORS 343.224
OAR 581-015-2020
OAR 581-015-2035
OAR 581-015-2040 - 2065
OAR 581-015-2050
OAR 581-015-2075
OAR 581-015-2530
OAR 581-015-2600
OAR 581-015-2605
OAR 581-021-0029

Assistance to States for the Education of Children with Disabilities, 34 C.F.R. §§ 300.17, 300.101-110, 300.113, 300.300 (2017).