

## 608 INSTRUCTIONAL SERVICES – SPECIAL EDUCATION

### I. GENERAL STATEMENT

- A. Consistent with Minnesota and Federal Statutes and Regulations, special education and related services will be provided to all children with disabilities aged birth through twenty-one, inclusive, who need special education, including children with disabilities who have been suspended or expelled from school.
- B. Special Education programs will be at no cost to the parent/guardian of the children in the programs.

### II. DUE PROCESS PROCEDURES

- A. The District will follow due process procedures which guarantee the rights of all children with disabilities as well as parental/guardian rights of participation in due process decision-making procedures. These procedures include identification, assessment, program planning, and placement in an appropriate level of service.
- B. To the maximum extent appropriate, children with disabilities will be educated with children who are not disabled and will attend regular classes. Children with disabilities will be removed from the regular education program only when the nature and the severity of the disability of a child is such that education in regular classes with the use of supplementary aides and services cannot be achieved satisfactorily.

Students with disabilities will not be denied access to courses or extracurricular activities solely on the basis of their disability, when their needs and interests indicate participation is appropriate.

- C. If parents/guardians object to the District's proposed action regarding identification, assessment, placement, or program of their child with a disability, they will have the opportunity to meet with appropriate District staff in at least one conciliation conference. If conflicts regarding the child's identification, assessment, placement, or program cannot be resolved in conciliation conferences, the parent/guardian will have the right to an impartial due process hearing as provided by law.

Policy 608 - Instructional Services - Special Education  
Adopted: 12/10/07

School Board  
INDEPENDENT SCHOOL DISTRICT 659  
Northfield, Minnesota

**Legal References:** Minn. Stat. § 124D.03 (Enrollment Options Program)

Minn. Stat. § 125A.02 (Definition of Child with a Disability)  
Minn. Stat. §§ 125A.027, 125A.03, 125A.08, 125A.15, and 125A.29  
(District Obligations)  
20 U.S.C. § 1400 *et seq.* (Individuals with Disabilities Education  
Improvement Act of 2004)

***Cross References:*** Policy 402 (Disability Nondiscrimination Policy)  
Policy 508 (Extended School Year for Certain Students with  
Individualized Education Programs)  
Policy 558 (Nonresident Open Enrollment)  
Policy 521 (Student Disability Nondiscrimination)