

Section 1200

Special
Education

**PRAIRIE DU CHIEN AREA SCHOOLS
BOARD POLICIES**

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ADMINISTRATIVE STRUCTURE

The Prairie du Chien Area School District recognizes the Coordinator of Special Education as the identified administrative leader responsible for all special education services. The director shall be responsible and accountable for the special education administrative structure to the district administrator. The function of the director shall be to provide, in accordance with PI 11.11 Wis. Admin. Code and recognized professional standards, special education leadership to plan, develop, implement, and evaluate appropriate special education offerings to children with disabilities.

The district administrator shall, with the advice of the Director of Special Education, designate a local special education coordinator who shall carry out those responsibilities delegated to him/her by the director. All teachers of students with disabilities housed within the district shall be directly responsible to their respective principal. Supervision and evaluation of teachers of students with disabilities shall be a responsibility shared by the principal and the Director of Special Education.

Adopted: 3/11/2002

Cross Reference: Special Education Handbook

CHILD FIND

The Prairie du Chien Area School District hereby establishes the goal of providing full educational opportunities to all children with disabilities aged 0 to 21. Procedures shall be developed which insure that all children residing within the district who have special educational needs are located, identified, evaluated and appropriately served. Children excluded from school shall not be denied any rights afforded under Subchapter IV, Chapter 115, Wisconsin Statutes.

Adopted: 3/11/2002

Cross Reference: Special Education Handbook

SCREENINGS

The Prairie du Chien Area School District shall provide screening for all children between the ages of four and 21. Children ages birth to three will be screened upon request of a parent/guardian. A written plan for conducting screening shall be developed and thereafter reviewed annually. Screening techniques for students with disabilities shall be coordinated with existing screening programs. Appropriate space and staff shall be allocated to allow for screening activities.

Adopted: 3/9/1992

Revised: 2/14/2000; 3/11/2002

Cross Reference: Special Education Handbook

REFERRAL

The school psychologist shall be designated as the person to receive referrals of students with disabilities or suspected students with disabilities that are made. The school psychologist will be responsible for receiving and processing referrals for evaluation of students with disabilities or suspected students with disabilities consistent with PI 11.02 (1), Wisconsin Administrative Code. Every referral for evaluation of students with disabilities or suspected students with disabilities shall be honored. Principals will receive a copy of each referral when submitted.

**Policy and Procedures for
Accepting and Processing
Special Education Referrals**

Referral: (a) A physician, nurse, psychologist, social worker or administrator of a social agency who reasonably believes that a child brought to him or her for services has a disability shall refer the child to the local education agency. (b) A person who is required to be licensed, who is employed by a local educational agency and who reasonably believes a child has a disability shall refer the child to the local educational agency. (c) Any person, including a parent, who reasonably believes that a child is a child with a disability, may refer the child to a local educational agency. Every referral for evaluation of students with suspected disabilities will be honored.

Informing Parents Before Referral: Before submitting a referral to a local educational agency, a person required to make a referral shall inform the child's parent that he or she is going to submit the referral.

How to Refer: All referrals shall be in writing and shall include the name of the child and the reasons why the person believes that the child is a child with a disability.

Point of Referral: All referrals should be marked Attention: School Psychologist/IEP Team Coordinator.

LEA Procedures: A local education agency shall do the following: (a) Document and date the receipt of each referral. (b) Initiate an evaluation in order to determine eligibility and need for special education services.

Timeline: The local educational agency shall notify the parents of the educational placement of the child or will inform the parents that the child does not have a disability within 90 days after the local educational agency receives a special education referral for the child.

Adopted: 3/11/2002

Cross Reference: Special Education Handbook

EVALUATION

In order to provide the expertise required to assess the learning needs of students with disabilities or suspected students with disability problems, a multidisciplinary team (M-Team) shall be appointed by the director or his/her designee, consistent with PI 11.03, Wis. Admin. Code. When deemed necessary by the director, the district shall contract with additional qualified personnel to serve as M-Team members according to the provisions of PI 11.03(3) (d), Wis. Admin. Code. A full and complete evaluation of the child shall be conducted in all areas related to the students with disabilities or suspected students with disabilities by appropriately certified staff. Appropriate assessments shall be provided at no cost to parents.

The M-Team shall determine if the child has a cognitive, learning, emotional (sensory and speech), or physical disability, the handicapping conditions as enumerated in Section 115.76(3) (a) through (i), Wis. Stat.; and further elaborated in PL 11.34(2)(a) through (i), Wis. Admin. Code; and shall determine whether the handicapping condition(s), if any, require special education. The M-Team shall formulate written findings in accordance with the provisions of PI 11.32, Wis. Admin. Code. Each member of the M-Team assigned to perform an assessment shall submit a written report to the director. Evaluation shall be completed in timely fashion.

The parent shall be involved and consulted during the M-Team process. All communications with parents regarding involvement in the M-Team process shall be carefully documented. Parents shall be fully informed concerning their rights regarding referral, evaluation, and placement regarding their child with suspected disabilities.

Notices to parents shall be in their native tongue or other mode of communication, unless it is clearly not feasible to do so. When necessary, the district shall provide an interpreter for deaf or non-English speaking parents.

Students with disabilities shall be re-evaluated at least once every three years.

No longer than 90 days shall elapse between the receipt of the referral by the school district and the receipt by the parent of the placement decision. In cases requiring deviation from the 90 day time line, extensions shall be obtained in accordance with PI 11.03(6) Wis. Admin. Code.

Adopted: 3/11/2002

Cross Reference: Special Education Handbook

NON-DISCRIMINATORY EVALUATION

Evaluation of students with disabilities or suspected students with disabilities shall be conducted so as not to be culturally or racially discriminatory. No single procedure shall be used as the sole criterion for determining a special educational need or appropriate educational plans. In making such decisions and formulating an educational plan, the M-Team shall draw upon information from a variety of sources such as achievement tests, observations, interviews, etc. Such information shall be documented and carefully considered. Decisions and recommendations shall be documented and carefully considered. Decisions and recommendations shall be made by those knowledgeable about the child and the evaluation data. In the case of a minority student with suspected disabilities, a representative of the minority group shall be allowed input into the M-Team decision-making process.

Tests and other evaluations shall be:

- a. administered in the student's native language or other mode of communication, unless it is otherwise unfeasible to do so.
- b. valid for the specific purposes for which they are used and administered by qualified individuals.
- c. designed to assess specific areas of educational need and not merely provide a single intelligence quotient.
- d. selected so that the performance of students with impaired sensory, manual, or speech skills accurately reflects the skill or ability the instruments purports to measure, rather than reflecting the student's impaired sensory, manual or speech skill (except where the instrument is designed to measure these impairments).
- e. selected and administered so as not to be racially or culturally discriminatory.

Results of the evaluation shall be communicated to the parents/guardians in their native language or other mode of communication, unless it is clearly unfeasible to do so.

Adopted: 3/9/1992

Revised: 2/14/2000; 3/11/2002

Cross Reference: Special Education Handbook

PLACEMENT

The Prairie du Chien Area School District guarantees to every student with special education needs a free, appropriate education. The Board of Education, through its Director of Special Education acting as the local placement officer, together with an appointed placement committee shall place students with special needs in appropriate special education programs in accordance with the provisions of PI 11.04 and PI 11.26, Wis. Admin. Code. When a student is placed in other than a public school program, justification as to why the recommended program cannot be implemented in a public school facility shall be provided to parents. In making the placements the director shall take into account the proximity of the program to the child's home. Consent of the parent/guardian shall be obtained prior to any placement in a program that provides special education and/or supportive/related services. The program shall be provided within 30 days of the parents' consent to the placement decision.

Adopted: 3/11/2002

Cross Reference: Special Education Handbook

LEAST RESTRICTIVE ENVIRONMENT

To the maximum extent appropriate, each student with disabilities shall be mainstreamed with all students. Special classes, separate schooling or other removal of students with disabilities from the regular educational environment shall occur only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

Each student with disabilities shall, to the maximum extent appropriate to the needs of the child, participate with all students in non-academic and extracurricular services and activities.

In selecting the least restrictive environment, consideration shall be given to any potentially harmful effect on the child or on the quality of services that he or she needs. The district shall insure that a continuum of alternative placements is available for students with disabilities, consistent with PI 11 Wis. Admin. Code, including instruction in regular classes with supplementary assistance, special classes, special schools, home instruction, and instruction in hospitals and institutions.

Adopted: 3/11/2002

Cross Reference: Special Education Handbook

SUSPENSION AND EXPULSION

The school district administrator or any principal or teacher designated by him/her may suspend a student with a disability for not more than 5 days for noncompliance with rules governing student conduct in accordance with 120.13(1) Wis. Statutes. The school district administrator or his/her designee shall make an effort to confer with the child's I.E.P. manager prior to taking such action. A meeting may be convened by the student's I.E.P. manager, including the parents of the student, within 5 days following commencement of the suspension to consider whether changes in the student's I.E.P. or an M-Team reevaluation may be warranted.

No student with a disability shall be expelled without due process. The provision of special education and related services to the student shall be documented in the hearing record. Expulsion of an identified student with a disability may only occur after a manifestation determination. This determines whether the students' behavior for which they are being expelled is a manifestation of their disability. In addition, a review of the students' IEP and placement will be conducted to insure appropriateness. Expulsion of an appropriately placed student with a disability shall occur only as a last resort in instances where the conduct of the student results in significant disruption of the educational process of the school or endangers the health or safety of others.

Prior to the expulsion of each non-handicapped student, the district shall use its normal procedures in assessing whether reasonable cause exists to suspect that the student has a handicapping condition. If reasonable cause does not exist, the expulsion hearing may proceed. This determination shall be entered in the hearing record. If there is reasonable cause to suspect that the student has a handicapping condition, the student shall be evaluated by a multi-disciplinary team. If the team determines that the student does not have a disability, the determination shall be entered in the hearing record. If the student is determined to have a disability, the team shall further determine whether the handicapping condition was a significant factor in the conduct that resulted in the expulsion proceedings. If they determine that the condition is not related to the conduct, this shall be entered in the record and the hearing may proceed. If the handicapping condition is found to be a significant factor in the conduct, the district shall offer appropriate special education and related services.

Adopted: 3/11/2002

Cross Reference: Special Education Handbook

***STUDENTS WITH DISABILITIES WITH WEAPONS IN THE SCHOOL**

Possession or use of a weapon on school premises, before, during or after school or at any school-sponsored activity is prohibited. The district may place a student with disabilities who brings a firearm to school in an interim alternative educational setting for up to 45 days. A reasonable time prior to the expiration of the 45 day interim alternative educational placement the district will send the parent a placement offer and notice meeting state requirements. A student found to be in possession of a weapon on school premises before, during or after school or at any school-sponsored activity is subject to the following:

1. Suspension and/or expulsion from school and/or legal action
 - A. Articles commonly used or designed to inflict bodily harm and/or to intimidate other persons. Examples include but are not limited to firearms, BB guns, look-a-like weapons, pepper spray, "brass" knuckles, razors, switch blade/butterfly knives, chains, clubs, stars, etc.
 - B. Articles designed for other purposes but which in the manner such articles are used or intended to be used are calculated to inflict bodily harm and/or to intimidate. Examples include but are not limited to belts, combs, pencils, files, compasses, aerosol sprays, scissors, etc.
2. Expulsion for a period of not less than one year.
 - A. Any weapon which will or is designed to or may readily be converted to expel a projectile by the action of an explosive
 - B. The frame or receiver of any weapon described above
 - C. Any firearm muffler or firearm silencer
 - D. Any explosive, incendiary, or poison gas
 - (1) bomb,
 - (2) grenade,
 - (3) rocket having a propellant charge of more than four ounces,
 - (4) missile having an explosive or incendiary charge of more than one-quarter ounce,
 - (5) mine, or
 - (6) similar device
 - E. Any weapon which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant.

LEGAL REF.: State Stat. 120.13(1); 948.60; 948.605; 948.61

*The Hunter's Safety Course is an exemption to the above restrictions.

Adopted: 3/11/2002

Cross Reference: Special Education Handbook

SUPPORTIVE AND RELATED SERVICES

Supportive and related services shall be provided to students with disabilities in accordance with the provisions set forth in the relevant Wisconsin and federal statutes, rules and regulations. Supportive and related services are herein defined as developmental, corrective and other special education. These services include audiology, physical therapy, occupational therapy, recreation, psychological services, counseling, school health services, social work services in school, diagnostic medical services, early identification of students with disabilities, parent training and counseling, and transportation, as defined in Title 45 Chapter I, 121a.13, Code of Federal Regulations.

Adopted: 3/11/2002

Cross Reference: Special Education Handbook

INDIVIDUALS WITH DISABILITIES EDUCATION ACT-TRANSITION REQUIREMENTS

All IEPs (Individual Educational Plan) for all students beginning at age 16 (and younger if appropriate) include needed transition services in the areas of instruction, community experiences, the development of employment objectives, other post-school adult living objectives, acquisition of daily living skills, and functional vocational evaluation. If the IEP team determines that specific services are not needed, they will document in the IEP the basis for their decision.

The needed transition services stated in the IEP are based upon the student's individual needs, preferences and interests.

The IEP contains a statement of the district's and each participating agency's responsibilities or linkages, or both (for transition services), before the student leaves the school setting.

When the IEP committee will be considering transition services, the parents' notification of the IEP meeting will:

- state that transition services will be developed at the meeting;
- state their child will be invited to participate in the meeting to discuss his/her interests and preferences;
- list any other agencies that were also invited to the meeting.

Whenever the IEP committee is considering transition services, the student will be invited to attend; and if she/he does not attend, the district will consider the student's preferences and interests at the meeting.

The district will invite any other agency to the IEP meeting that is likely to be responsible for providing or paying for transition service; if they do not attend, the district will obtain their participation in planning transition services through other means (letters, phone conference, referrals, etc.)

If an agency that agreed to provide transition services at the IEP meeting fails to provide them, the district will immediately meet to identify alternative strategies to provide the transition services; if necessary, revising the IEP.

The IEP will include where appropriate: specially designed art, music, industrial arts, consumer and homemaking education, vocational education, assistive technology, nonacademic and extracurricular activities, including counseling, transportation, health services, recreational services and physical education.

Adopted: 3/11/2002

Cross Reference: Special Education Handbook

DUE PROCESS

It is the policy of the Prairie du Chien Area School District to guarantee to parents/guardians and children due process rights as enumerated under Chapter 115, Wis. Stat.; Chapter PI 11, Wis. Admin. Code; Public Law 94-142; and Title 45, Chapter I, Part 121a, Code of Federal Regulation including the following:

1. Notification of parent/guardian prior to referral for evaluation of students with disabilities or suspected students with disabilities.
2. Consent of parent/guardian prior to evaluation of students with disabilities or suspected students with disabilities.
3. Consent of parent/guardian prior to placement in a program providing special education and/or supportive/related services.
4. Prior written notice to parent/guardian a reasonable time before the district proposes to change or refuses to change the provision of a free, appropriate education to the child.
5. The right of the parent/guardian or the district to an impartial hearing. Upon request or upon the filing for an impartial hearing, parent/guardian shall be informed of any free or low-cost legal and other relevant services available in the area. Notice of the time and place of the hearing shall be given at least 30 days prior to the hearing. The final decision shall be reached within 45 days of receipt by the district of the written request for a hearing.
6. The right of any party aggrieved by the findings and decisions of the impartial hearing to appeal to the State Superintendent.
7. The right of any party aggrieved by the findings and decisions of the State Superintendent to bring civil action.
8. The right of the parent/guardian to inspect, review and obtain copies of school records subject to the provisions of 118.125 Wis. Stat. and the U.S. Family Educational Rights and Privacy Act of 1974.
9. The right of the parent/guardian to have the child remain in the present educational placement during the pendency of any judicial or administrative proceedings unless the child's present placement endangers the health or safety of himself/herself or others.
10. The right of the parent/guardian to have the child admitted to school until the completion of all proceedings in the case of a complaint involving initial admission to public school.
11. The right of the child to have the district assign a surrogate parent when no parent can be identified or located or where the child is a ward of the state
12. The right of the parent/guardian to an independent evaluation at public expense when the parent/guardian disagrees with the district's evaluation.

All due process rights shall be implemented according to the provisions of the aforementioned federal and state statutes, rules, and regulations.

Adopted: 3/11/2002

Cross Reference: Special Education Handbook

INDIVIDUAL EDUCATIONAL PROGRAM

An individualized education program (IEP) shall be established for each newly evaluated student with special educational needs in accordance with PI 11.33, Wis. Admin. Code. The IEP shall be reviewed at least annually and, if necessary, revised.

The director shall designate an IEP manager for each student with special education needs, who shall be responsible for coordinating the development and revision of the child's IEP in accordance with established district procedures.

The district shall take steps to insure that parents are afforded the opportunity to participate in IEP meetings. These steps shall be carefully documented. The district shall take whatever steps are necessary to insure that parents understand the proceedings, including the arranging for an interpreter.

If a student with disabilities is enrolled in a parochial or other private school and receives special education and/or supportive/related services from the district, the district shall insure that a representative of the parochial or private school participates in each meeting.

If a student with disabilities is placed in an alternative school or facility, compliance with the IEP requirements remains the responsibility of the district. Representatives of both the district and the private school or facility shall participate in the establishment and revision of the IEP.

Adopted: 3/11/2002

Cross Reference: Special Education Handbook

INDEPENDENT EDUCATIONAL EVALUATION

An independent educational evaluation (“IEE”) is an evaluation conducted by a qualified examiner who is not an employee of the child’s school district. A parent has a right to an IEE at public expense if the parent disagrees with a recent evaluation conducted by the school district. For purposes of this policy, “Evaluation” means the procedures used to determine whether a child has a disability and the nature and extent of the special education and related services the child needs. The school district is not required to pay for an IEE if the district has not conducted a recent evaluation. In the event the district receives a parent request for an IEE, the district must, without unnecessary delay, either provide the IEE at school expense per this policy or request a due process hearing to show that its evaluation is appropriate. If the final decision in the due process hearing is that the district’s evaluation is appropriate, the parent still has a right to an IEE, but not at public expense. Parents may only request one publicly funded IEE for each evaluation completed by the school district. The evaluation must be conducted within 100 miles of the District Administrative Office. The parents must request payment for the IEE within one year of the date the results of the school district evaluation were shared with parents.

Independent Educational Evaluations are addressed in the Federal Regulations which implement the Individuals with Disabilities Education Act (IDEA).

Approved: 3/11/2002

Cross Reference: Special Education Handbook

TECHNOLOGY CONCERNS FOR STUDENTS WITH SPECIAL NEEDS

Prairie du Chien Area School District believe that every student can and will learn, if placed in a challenging and supportive learning environment. This includes all students with special learning needs. In fact, it is the goal of the District to use technology, as proposed in the federal No Child Left Behind Act, to assist all students to achieve to their “fullest potential”.

Special needs students can be defined in multiple categories from severely physically disabled to gifted and talented students failing in the classroom environment. There are several technological support strategies to assist the learning challenges of these students.

Students defined by Prairie du Chien Area School District as being students with special needs will have access to appropriate software and hardware products to assist them in their education. The use of assistive technology includes, but is not limited to, speech and visual software aides, laptop computers, curriculum software, large print books, magnifiers, calculators, recorded materials, alternate keyboards, and computers in each classroom. In addition, special education staff will assist classroom teachers in the use of appropriate assistive technology strategies for each special needs student.

Prairie du Chien Area School District shall not discriminate in the technology services offered to special needs students on the basis of age, sex, race, religion, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation, or physical, mental, emotional, or learning disability which substantially interferes with a student’s school performance or creates an intimidating, hostile or offensive school environment.

Approved: 12/12/2005

Revised: 5/8/2006

Cross Reference: Special Education Handbook

CONFIDENTIALITY AND STUDENT RECORDS

1. General: Student records are maintained in the interest of the student to assist the school in providing an appropriate educational experience.
2. Content: Student records include all records relating to an individual student other than notes or records maintained for personal use by teachers or other certified personnel which are not available to others, and records necessary for and available only to persons involved in psychological treatment of a student.
 - Progress Records: Maintained by the school include a statement of courses taken by student, the student's grades, the student's extra-curricular activities and the student's attendance record.
 - Behavioral Records: Maintained by the school include psychological tests, personality evaluations, records of conversations, any written statements relating specifically to an individual's behavior, tests relating specifically to achievement or measurement of ability, physical health records and other pupil records which are not progress records.
 - Directory Data: Means those student records which include the student's name, address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, photographs, degrees and awards received and the name of the school most recently and previously attended by the student.
3. Confidentiality: All student records are confidential, with the following exceptions:
 - a. A pupil, or the parent or guardian of a minor pupil, shall, upon written request, be shown and provided with a copy of the pupil's progress records at cost, within three days, excluding weekends and holidays.
 - b. An adult pupil, or the parent or guardian of a minor pupil, shall, upon written request, be shown, in the presence of a person qualified to explain and interpret the records, the pupil's behavioral records within three days, excluding weekends and holidays. Such a pupil or parent or guardian shall, upon request, be provided with a copy of the behavioral records at cost.
 - c. The judge of any court of this State or of the United States shall, upon request, be provided by the school district clerk with a copy of all progress records of a pupil who is the subject of any proceedings in such court. The district shall make a reasonable effort to notify the parent of eligible pupil of the order in advance of compliance therewith.
 - d. Pupil records may be made available to persons employed in the school which the pupil attends who are required by the Department of Public Instruction under s. 115.28(7) to hold a certification, license or permit, and who have a legitimate educational interest in the records.
 - e. Upon the written permission of an adult pupil, or the parent or guardian of a minor pupil, the school shall make available to the persons named in the permission form, the pupil's progress records or such portions of his behavioral records as determined by the person authorizing the release.
 - f. Pupil records shall be provided to a court in response to a subpoena by parties to an action for in camera inspection, to be used only for purposes of impeachment of any witness who has testified in the action. The court may turn said records or parts thereof over to parties in the action or their attorneys if said records would be relevant and material to a witness' credibility or competency. The district shall make a reasonable effort to notify the parents or an eligible pupil of the subpoena in advance of compliance therewith.

Confidentiality & Student Records , cont.

- g. The School Board may provide the Department of Public Instruction or any public officer with any information required under Ch. 115 to 121.
- h. Information from school health records shall be made available to local and state health officials to carry out the purposes of s. 140.05(16), Wisconsin Statutes.
- i. Directory data will be disclosed to any party provided that the district has given public notice of the categories of information designated as directory data with respect to each pupil and has allowed a reasonable time thereafter for the parent, guardian, or legal guardian ad litem of any pupil to inform the school that all or any part of the directory data may not be released without prior consent of the parent, legal guardian, or guardian ad litem.

A record of the request for disclosure and each disclosure of personally identifiable information from the education records of a student under c, f, and g above shall be maintained with the educational records of the student. The record shall indicate the parties who requested information, those who obtain information, and their legitimate interest in requesting or obtaining information. This record of disclosure may be inspected by the parent or adult pupil and by school officials responsible for maintaining student records. Written consent for the disclosure of personally identifiable information from student records shall be signed and dated by the parent or adult pupil granting consent and shall include a specification of the records to be disclosed, the purpose(s) of the disclosure and the party or class of parties to whom the disclosure may be made.

Notwithstanding their confidential status, student records may be used in suspension and expulsion proceedings and by the multi-disciplinary team under CH. 115 of the statutes.

The principal shall have primary responsibility for maintaining the confidentiality of all students' records kept at the school. All requests for inspection or for transfer to another school or another school district should be directed to the principal, who will then determine whether inspection or transfer is permitted under this policy. The principal or his/her qualified designee shall be present to interpret behavioral records when inspection is made under paragraph (3) (b). Upon transfer of student records to the central administrative office (under paragraph (4) herein) these duties shall be assumed by the school district administrator or his/her qualified designee.

- 4. Maintenance and Destruction of Records: While students are attending schools, their records will be maintained in the school of attendance. Student records will be reviewed periodically and information that is no longer necessary will be destroyed upon authorization of the principal. Upon transfer of the student to another school operated by the district, the records shall be transferred to that school. When the student ceases to be enrolled in a school operated by the district, his or her records will be transferred to the central administrative office.

Records which are transferred to the central administrative office when the student ceases to be enrolled shall be maintained as follows:

- a. All behavioral records will be destroyed one year after the date the student graduates from or last attended the school unless the student, and his or her parent or guardian, if the student is a minor, gives permission that the records may be maintained for a longer period of time. Where such written permission is received, behavioral records will be destroyed six years after the student graduated from or last attended the school.
- b. Progress records will be retained permanently after the student ceases to be enrolled in the school district.
- c. The district shall not destroy any educational records of a student if there is an outstanding request to inspect and review them.

Confidentiality & Student Records , cont.

5. Transfer of Records: Student records relating to a specific student shall be transferred to another school or school district upon receipt of written notice from an adult student or the parent or guardian of a minor student stating that the student intends to enroll in the other school or school district, or upon written notice from the other school or school district that the student has enrolled.

6. Request to Amend Education Records: A parent or adult pupil who believes that information contained in the records of the student is inaccurate or misleading or violates the privacy or other rights of the student may request that the district amend records. Within three days, excluding holidays and weekends, the school district shall decide whether to amend the records in accordance with the request and inform the parent or eligible student of their decision. If the district refuses to amend the records, it shall inform the parents or adult pupil of the right to a hearing. The request for the hearing shall be filed in writing with district administrator. The hearing shall be held and the parents or adult student informed of the decision in writing within forty-five days of the request. The parent or adult pupil shall be given notice of the date, place, and time at least ten days prior to the hearing. The hearing shall be conducted by the President of the Board of Education who shall designate two other board members to also serve on the hearing panel. The parent or eligible pupil shall be afforded the opportunity to present relevant evidence and may be assisted or represented by individuals of his or her choice at his or her own expense, including an attorney. The decision of the panel shall be based solely upon the evidence presented and shall include a summary of the evidence and the reason for the decision. If the hearing panel decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, the district shall inform the parents or adult pupil of the right to place a statement commenting upon the information in the education records and/or describing reasons for disagreeing with the decision of the hearing panel. The statement shall be maintained as part of the records for as long as the contested section is maintained. Upon the disclosure of the contested section to any party, the parents' statement shall be disclosed as well. Documents relating to requests for destruction or amendment of education records shall be kept separate from other student records.

7. Public Notice: The district shall provide public notice to parents and adult students annually regarding the types of records maintained by the district, the title of persons who are responsible for these records, the location of records, retention and destruction schedules, titles of persons having access to student records without consent, where copies of this policy may be obtained, and rights under the law with regard to student records and procedures for exercising these rights.

NOTICE

The Prairie du Chien Area School District maintains student records in the interest of the student to assist in providing appropriate educational experiences. Two classes of records are maintained: behavioral records and progress records. Progress records mean those pupil records that include the pupil's grades, a statement of the courses the pupil has taken, the pupil's attendance record and records of the pupil's school extracurricular activities. Behavioral records mean those pupil records which include psychological tests, personality evaluations, records of conversations, any written statement relating specifically to an individual pupil's behavior, tests relating specifically to achievement or measurement of ability, the pupil's physical health records and any other pupil records which are not progress records. Students' records are confidential. Personally identifiable information from student records may not be released to any party without the written consent of parent or adult student, except to a court under order or subpoena, or to employees of the school district, Department of Public Instruction or state and local health officials having a legitimate interest in them.

The school district will disclose directory data to any person. Directory data means those pupil records which include the pupil's name, address, telephone listing, data and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, photographs, degrees and awards received and the name of the school most recently previously attended by the student. A parent, guardian or adult student may request that all or any part of this directory data not be released without prior consent of the parent, guardian, or adult student. If you wish to exercise your option to keep directory data confidential, please notify the office of the school district administrator. Address a written request indicating the type of directory data to be kept confidential to:

Drew Johnson, District Administrator
420 S. Wacouta Avenue
Prairie du Chien, WI 53821

A parent or adult student will be shown and provided copies of the student's records upon request. Records are kept at the following location: Prairie du Chien District Office

Requests to view, obtain copies, and/or release records should be addressed to those named above. Progress records are maintained permanently. Behavioral records are destroyed one year after graduation or last date of attendance, unless permission is granted for maintenance by the parent or adult student. Personally identifiable information no longer needed will be destroyed upon request of parent or adult student.

Student records are transferred to another school or school district upon receipt of written notice from an adult student, a parent or guardian of a minor child that the student intends to enroll in the other school or school district, or upon written notice from the other school or school district that the student has enrolled. Parental consent is not required for the transfer. Parents will be notified that records are being forwarded.

Parents or adult students may request that information contained in education records which is inaccurate or misleading or violates the privacy or other rights of the student be amended. If the district refuses to amend the records, the parent or adult student is entitled to a hearing regarding the request to amend the education records. A copy of the school district's student records policy may be obtained by writing the District Administrator

Parents and adult students have the right to file complaints concerning alleged violations of their rights with regard to education records under Section 438 of the Family Educational Rights and Privacy Act with the U.S. Department of Education. Written complaints should be addressed to:

The Family Educational Rights and Privacy Act Office (FERPA Office)
330 Independence Avenue, S.W.
Washington, D.C. 20201

Adopted: 3/11/2002

Cross Reference: Special Education Handbook

BUILDINGS

An appropriate physical environment shall be provided for all special education activities. Programs for students with disabilities shall be provided in rooms that are at least equal in all physical respects to the average standards of the rest of the school building. School programs and activities in existing facilities shall be accessible to handicapped students. Each new facility constructed on behalf of, or for the use of, the district shall be designed and constructed in such a manner that the facility is readily accessible to and usable by handicapped persons.

Adopted: 3/11/2002

Cross Reference: Special Education Handbook

BUDGET

Monies allocated for special education programs shall be clearly specified to enable better cost analysis of all dollars spent on educating students with disabilities. To maintain clarity in terms of special education fiscal management, the district shall:

1. Maintain a fiscal accountability system that allows for and indicates cost effective decision making for educational programming. This system shall:
 - a. be mathematically rational
 - b. be designed so as to keep the requirement for record-keeping restricted to a minimum to effectively track the educational costs of exceptional children.
 - c. determine the personnel responsible for decision making regarding expenditures of the special education budget.
2. Maintain an administrative structure that allows the Director of Special Education to have an active role in determining how fiscal resources for special education are to be planned, budgeted, and allocated.
3. Establish accounting procedures that allow the District to track the total cost of all special education programs and services and to account for all federal, state, and local monies expended for the education of students with disabilities.

Adopted: 3/11/2002

Cross Reference: Special Education Handbook

TRANSPORTATION

The school district shall provide, in accordance with 121.54, Wis. Stat., additional special transportation for students with disabilities, including those enrolled in nonpublic schools, to and from special education and individual education program (IEP). The multidisciplinary team shall identify needs of students with disabilities which may necessitate additional transportation or the provision of lifts, ramps, or a qualified aide. Special transportation shall be provided upon the decision of the Director of Special Education, acting on behalf of the board. The district transportation supervisor shall determine pick up and length of the route. Students shall not be transported on regular bus routes for over one hour in one direction, unless it is clearly unfeasible to do otherwise. The district may enter into an agreement with the parents to transport the child. However, no parent shall be required to provide transportation as a condition of the child receiving special education or supportive/related services. Parents shall be reimbursed for providing transportation according to prevailing rates. Special transportation shall be provided to any child upon medical prescription.

Operators of district vehicles transporting students with disabilities shall be provided with information concerning the nature of any special need which children in their charge may have. The district shall provide in-service for vehicle operators concerning the needs of students with disabilities.

The transportation of students with disabilities shall be evaluated annually by the transportation supervisor.

Adopted: 3/11/2002

Cross Reference: Special Education Handbook

COOPERATION WITH OTHER AGENCIES PROVIDING SERVICES TO EEN CHILDREN

In order to maximize the growth and development of students with disabilities in all of the child's social systems (e.g. school, home or community) and to facilitate special education placements in the least restrictive environment, the district shall cooperate with outside agencies providing services students with disabilities and their families. Coordination of contacts with outside agencies shall be the responsibility of the Director of Special Education.

These outside agencies include, but are not limited to:

1. County and State Social Service Agencies
2. Physicians, Dentists, and other medical practitioners
3. Mental Health Clinics and Agencies
4. 51.42/.437 Boards
5. Diagnostic Clinics and Hospitals
6. Residential Treatment Centers
7. Head Start Programs
8. Community Action Programs
9. Division of Vocational Rehabilitation
10. Vocational-Technical Schools
11. Department of Public Instruction
12. Social Security Administration
13. Local Clergyman
14. Cooperation Education Service Agencies
15. Catholic Social Services
16. Lutheran Social Services
17. Day Care Centers

Adopted: 3/11/2002

Cross Reference: Special Education Handbook

NEEDS ASSESSMENT AND REPORTS TO DPI

Annually, the Prairie du Chien Area School District shall conduct a needs assessment concerning the Special Education program types, locations, enrollments, physical facilities, materials, equipment, special education in-service needs, and supportive and related services for students with disabilities.

The district shall provide the Wisconsin Department of Public Instruction such information in a timely and accurate manner as may be necessary to enable it to perform its duties under state and federal statutes, rules and regulations.

Adopted: 3/11/2002

Cross Reference: Special Education Handbook

PARENT INVOLVEMENT

The school district shall involve parents of students with disabilities in special education activities by encouraging them to participate in IEP meetings, parent group meetings, when held, and periodic conferences with classroom teachers. The district shall further involve parents by the distribution of literature and other measures that create a greater awareness among parents of their rights and responsibilities in the education of students with disabilities.

Adopted: 3/11/2002

Cross Reference: Special Education Handbook

CERTIFICATION AND STAFF DEVELOPMENT

Special education personnel shall be appropriately certified for the duties that they perform in administration, supervision, support, and teaching.

Special education personnel shall participate in the formulation of long-range in-service plans for all professional staff members consistent with Sec. 121.02 (1)(c) Wis. Statutes.

The district shall provide in-service for special education personnel directed toward the development of individual competencies and the needs of the district. Special education personnel shall be encouraged to attend professional conferences that provide expansion of skills and knowledge relating to special education.

Adopted: 3/11/2002

Cross Reference: Special Education Handbook

PARTICIPATION OF PRIVATE SCHOOL CHILDREN IN FEDERAL GRANT PROGRAM

The Prairie du Chien School District provides students in private schools a continuing opportunity for equitable participation in special education programs, and other programs financed with federal monies, in accordance with the Education Department General Administrative Rules (EDGAR) requirements and in a manner consistent with the number of eligible private school students and their identified individual needs.

The district shall maintain continuing administrative direction and control over funds and property that may benefit students enrolled in private schools within its boundaries.

The district shall consult with appropriate representatives of students enrolled in private schools on a continuing basis to ensure participation in all phases of the development and design of projects which will benefit local district residents. These ongoing consultations shall include identifying children who will receive benefits under the project, how the children's needs will be identified, what benefits will be provided, how long they will be delivered, and how the project will be evaluated.

The district shall consult with private school representatives before making any decision that affects the opportunities of private students to participate in the project. Each appropriate private school representative shall have a genuine opportunity to express their views regarding each matter subject to consultation requirements.

The basis for determining the needs of individual students, the number of those students who will participate in a project, and the benefits that the district will provide under the program to those students shall be comparable for public and private school enrollments.

The federal program benefits that the district provides for students enrolled in private school and students enrolled in public schools shall be comparable in quality, opportunity for participation and scope. The district shall ensure equitable opportunities for participation by students enrolled in private schools who have the same needs and are the same in terms of group membership, attendance area, or age or grade level. The needs of the individual student shall dictate designed program benefits of the shared-time concept regardless of the student's school of enrollment.

The district shall include in its PL94-142 flow-through application for each year, the following information:

A description of how the applicant will meet the federal requirements for participation of students enrolled in private schools, the number of students enrolled in private schools who have been identified as eligible to benefit under the program; the number of students enrolled in private schools who will receive benefits under the program; the basis on which students were selected; the manner and extent to which the applicant complied with consultation requirements; the places and times that the students will receive benefits under the program; and the differences, if any, between the program benefits the applicant will provide to public and private school students, and the reason for the differences.

The district shall not use federal program funds for classes that are organized separately on the basis of school enrollment or religion of the student if the classes are at the same site and include both students enrolled in public schools and students enrolled in private school.

The district shall not use federal program funds to finance the existing level of instruction in a private school or to otherwise benefit the private school. Program funds used to meet the specific needs of students enrolled in private schools shall be used for those purposes only rather than the needs of the private school or the general needs of the students enrolled in the private school.

Private School Children, cont.

The district shall use federal program funds to make public personnel available in other than public facilities only to the extent necessary to provide equitable program benefits designed for students enrolled in a private school and only if those benefits are not normally provided by the private school. Only observation, screening, M-Team evaluations, and consultation is conducted in nonpublic (private) schools.

The district shall use federal program funds to pay for the service of an employee of a private school only if the employee performs the services outside of his or her regular hours of duty; and if the employee performs the services under public supervision and control.

The district shall keep title to and exercise continuing administrative control of all equipment and supplies acquired with federal program funds. The district shall ensure that the equipment or supplies placed in a private school are used only for the purposes of the project and can be removed from the private school without remodeling the private school facilities. The district shall remove equipment or supplies from a private school if they are no longer needed for the purposes of the project or if removal is necessary to avoid use of the equipment or supplies for other than project purposes.

The district shall ensure that federal program funds are not used for the construction of private school facilities.

Students with disabilities will participate in district wide achievement testing. It will be noted on each child's IEP. It will be the IEP manager's responsibility to notify administrators of those students who will and will not participate, and at what levels they will participate.

Adopted: 3/11/2002

Cross Reference: Special Education Handbook

EXTENDED SCHOOL YEAR PROGRAM

The Prairie du Chien Area School District shall provide special education and related services in excess of the school calendar to a student with disabilities upon a determination by an IEP Committee that the child requires an extended year program. A student with disabilities may be entitled to an extended school year program if regression caused by interruption in educational programming, together with the student's limited recoupment capacity, render it impossible or unlikely that the student will attain a level of self-sufficiency and independence from caretakers that the student would otherwise be expected to reach in view of his/her handicapping condition.

Children with any handicapping condition may be considered for extended year programming. However, severely impaired students such as severely and profoundly retarded, multiple handicapped, and severely emotionally disturbed, are more likely to have difficulty attaining the goals of self-sufficiency and independence from caretakers and therefore be more likely to need additional help and support in reaching self-sufficiency. Of particular concern are basic self-help skills such as toileting or eating and skills necessary for community living. Consideration should also be given to the extent of mastery of the skills in question, since a child is more likely to regress in a skill if programming is interrupted before mastery and consolidation have been achieved.

The District's extended year program may differ from the program provided during the school year and may include, but is not limited to, home-based instruction, in-school instruction, or instructional services purchased from an appropriate vendor. The type of service, duration, and amount of service included in the extended year program shall be determined by the IEP Committee. If the parents are capable of maintaining a child's skill level during a break in programming, the District may offer parent training to assist them in maintaining levels in the critical skill areas. In considering the appropriateness of this option, the IEP Committee shall consider the complexity of the required program, parental expertise, and other possible impediments to a successful maintenance program.

Adopted: 3/11/2002

Cross Reference: Special Education Handbook

GRADUATION

Any student with special educational needs who has met graduation requirements will be granted a high school diploma.

The District may grant credit toward graduation requirements based upon successful completion of modified courses taught by special education teachers when such courses are based upon approved curricula. Modified course objectives shall appear in each child's IEP and the student transcript shall list courses taught by special education teachers by course name.

A certificate of completion shall be issued to any student with disabilities who has completed an individualized course of study based upon approved curricula after a minimum of four years of high school attendance. The primary goal for a student pursuing an individualized course of study leading to a certificate of completion is the attainment of self-sufficiency and independence from caretakers within the limits of his/her handicap.

Before the commencement of the fourth year of high school enrollment, goals indicating the level of achievement required in order to successfully complete an individualized course of study shall be included in the Individual Educational Program of each student pursuing a course of study leading to a certificate of completion.

Adopted: 3/11/2002

Cross Reference: Special Education Handbook