

Programs for Pupils with Disabilities

See also JICD

The School Department shall provide a free appropriate public education and necessary related services to all children with disabilities residing within the School Department, 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 School Department 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 School Department 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 School Department 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, and 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 School Department 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 21st 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.

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*