

Baker School District 5J

Code: **IGBAJA**
Adopted: 11/27/01
Orig. Code(s): IGBAJA

Incarcerated Youth

- A. Until January 1, 2006, the district will make Free and Appropriate Public Education (FAPE) available to all individuals with disabilities 18 through 21 whether or not the student was previously identified for special education purposes.
- B. After January 1, 2006, the district will make FAPE available to those individuals with disabilities 18 through 21 years old who have been convicted as adults and are incarcerated in an adult correctional facility who have not graduated with a regular diploma, and in their last educational placement before their incarceration in the adult correctional facility:
 - 1. Were identified as being a student with a disability as defined in OAR 581-015-0005 (3); or
 - 2. Had an individualized education program.
- C. “Identified as being a student with a disability” means has been determined eligible or was involved in the process of determining the individual’s disability and eligibility for special education and related services under OAR 581-0150051.
- D. “Last educational placement” includes juvenile correctional facilities.

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 to-2065](#)
[OAR 581-015-2050](#)

[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 (2006).
Assistance to States for the Education of Children with Disabilities, 34 C.F.R. §§ 300.300 (2008).