

## **Students with Disabilities**

The district implements an ongoing system to locate, identify and evaluate all children birth to age 21 residing within its jurisdiction who have disabilities and need early intervention, early childhood special education or special education services (EI/ECSE). For preschool children the district is responsible for the evaluation(s) used to determine eligibility; the designated referral and evaluation agency is responsible for determining the eligibility of children for EI/ECSE services in accordance with Oregon Administrative Rule (OAR) 581-015-2100. The district identifies all children with disabilities, regardless of the severity of their disabilities, including those who are:

1. Highly mobile, such as migrant and homeless children;
2. Wards of the state;
3. Suspected of having a disability even though they advance from grade to grade;
4. Home schooled;
5. Below the age of compulsory school attendance; or
6. Above the age of compulsory school attendance who have not graduated from high school with a regular or modified diploma and have not completed the school year in which they reach their 21st birthday.

The district determines residency in accordance with Oregon Revised Statutes (ORS) Chapter 339 and, for the purposes of charter school students with disabilities, in accordance with ORS Chapter 338 and ORS Chapter 339. The district enrolls all students who are five by September 1 of the school year. Students with disabilities are eligible to enroll in the district through the school year in which they reach the age of 21 if they have not graduated with a regular diploma.

The district shall annually submit data to the Oregon Department of Education (ODE) regarding the number of resident students with disabilities who have been identified, located, evaluated and are receiving special education and related services. The district reports any additional data to ODE as required by the ODE to meet the requirements of federal or state law and the applicable reporting dates.

END OF POLICY

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**Legal Reference(s):**

[ORS 332.075](#)

[ORS 338.165](#)

[ORS 339.115 to -137](#)

[ORS 343.151](#)

[ORS 343.157](#)

[ORS 343.193](#)

[ORS 343.221](#)

[ORS 343.517](#)

[ORS 343.533](#)

[OAR 581-015-2040](#)

[OAR 581-015-2045](#)

[OAR 581-015-2080](#)

[OAR 581-015-2085](#)

[OAR 581-015-2190](#)

[OAR 581-015-2195](#)

[OAR 581-015-2315](#)

[OAR 581-015-2480](#)

[OAR 581-021-0029](#)

[OAR 581-022-2315](#)

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. § 1412 (a)(3) (2012).

Early Intervention Program for Infants and Toddlers with Disabilities, 34 C.F.R. Part 303 (2017).

Assistance to States for the Education of Children with Disabilities, 34 C.F.R. § 300.111 (2017).