

Special Education - Public Availability of State Application

The superintendent will be responsible for ensuring that all documents relating to the ESD's eligibility for funds under Part B of the Individuals with Disabilities Education Act (IDEA) are available to parents of children with disabilities and to the general public for inspection, review and comment.

1. In complying with this requirement, the ESD does not release or make public personally identifiable information.
2. Information available for public review includes, but is not limited to:
 - a. How the ESD implements policies, procedures and programs for special education consistent with state and federal requirements;
 - b. Performance of students with disabilities on statewide assessments;
 - c. Results of the state's general supervision and monitoring of ESD programs for special education, including the timeliness and accuracy of required data submissions;
 - d. ESD achievement of performance targets established in the State Performance Plan (SPP);
 - e. Financial information related to revenue and expenditures for students with disabilities, including but not limited to, ESD information about:
 - (1) Identifying the excess costs of educating students with disabilities;
 - (2) Maintaining the financial support for programs and services for students with disabilities (Maintenance of Effort (MOE)); and
 - (3) Describing available schoolwide programs under Title I of the Elementary and Secondary Education Act (ESEA) or the Every Student Succeeds Act (ESSA);
 - (4) Documenting the annual ESD application for IDEA funds; and
 - (5) Reporting official audits, complaints and due process hearings.
 - f. ESD dispute resolution information, including the resolution of state complaints and due process hearings.

END OF POLICY

Legal Reference(s):

State-Administered Programs, 34 C.F.R. § 76.304 (2006).
Assistance to States for the Education of Children with Disabilities, 34 C.F.R. § 34 C.F.R. 300.212 (2006).
Every Student Succeeds Act, 20 U.S.C. § 6314.