

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. For preschool children the district is responsible for the evaluation(s) used to determine eligibility; the designated referral and evaluation agency Early Childhood Intervention (ECI) is responsible for determining the eligibility of children for EI/ECSE services in accordance with 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. Indian preschool children living on reservations;
4. Suspected of having a disability even though they have not failed, been retained in a course or a grade, and are advancing from grade to grade.
5. Home schooled;
6. Resident and nonresident students, including residents of other states, attending private (religious or secular) school located within the boundaries of the district;
7. Attending a district charter school;
8. Below the age of compulsory school attendance; or
9. Above the age of compulsory school attendance who have not graduated from high school with a regular diploma and have not completed the school year in which they reach their 21st birthday.

The district determines residency in accordance with 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.

END OF POLICY

Legal Reference(s):

[ORS 326.565](#)

[ORS 326.575](#)

[ORS 332.075](#)

[ORS 336.187](#)

[ORS 339.155](#)

[ORS 339.260](#)

[ORS Chapter 343](#)

[OAR Chapter 581](#), Div. 15

[OAR 581-022-1340](#)

[OAR 581-022-1660](#)

Education of the Handicapped Act of 1975, as amended, 20 U.S.C. Sections 1400-1427, as amended and renamed Individuals with Disabilities Education Act (IDEA), P.L. 101-476, 104 Stat 1103 (1990), as amended P.L. 105-17 (1997), as amended 108-446 (2004). [P.L. 94-142 is a well-known “short” reference to this federal legislation.]

Early Intervention Program for Infants and Toddlers with Disabilities, 34 CFR Part 303 (2000).

Assistance to States for the Education of Children with Disabilities, 34 CFR Sections 300.125(a), 300.304, 300.451 and 300.550 (2000).