

**Special Education - Participation in Regular Education Programs \*\***

1. Placement of the Student
  - a. The placement decision for each eligible student is:
    - (1) Made by a group of persons, including the parents, and other persons knowledgeable about the student, the meaning of the evaluation data and the placement options;
    - (2) Made to conform with the least restrictive environment requirements;
    - (3) Determined at least once every 365 days;
    - (4) Based on the student's individualized education program (IEP); and
    - (5) As close as possible to the student's home.
  - b. The student is educated in the school that he/she would attend if nondisabled unless the services identified in the IEP cannot feasibly be provided in this setting.
  - c. The district ensures that:
    - (1) A continuum of placement options is available to meet the needs of students with disabilities for special education and related services;
    - (2) The continuum includes instruction in regular classes (with special education and related services and/or supplementary aids and services as identified on the IEP), special classes, special schools, home instruction and instruction in hospitals and institutions;
    - (3) Placement options, including instruction in regular classes, special classes, special schools, home instruction and instruction in hospitals and institutions are available to the extent necessary to implement the IEP for each student with a disability.
  - d. Students are placed in the least restrictive environment, using the following decision-making process:
    - (1) Completion of the IEP;
    - (2) Determining which IEP services, including instruction, can be implemented in the regular class;
    - (3) If all IEP services cannot be provided in the regular class, identifying those that must be provided outside the regular class; however, the district will not remove a student from education in age-appropriate regular classrooms solely because of needed modifications in the general curriculum;
    - (4) For those services that must be provided outside the regular class, identifying where, on the continuum from least to most restrictive, the services can be provided;
    - (5) Placement is in the school the student would attend if not disabled, unless another arrangement is required for implementation of the IEP;
    - (6) In selecting the student's placement, the placement team considers and documents:

- (a) All placement options considered, including placement options requested by the parent;
  - (b) Potential benefits of placement options that are considered;
  - (c) Any potential harmful effects on the student or on the quality of services that he/she needs; and
  - (d) Modifications and services considered to reduce harmful effects, and to maintain the student in the less restrictive placement.
- (7) The placement team documents the placement selected, and provides a copy of the determination to the parent;
- (8) If the selected placement is a change from previous placement, the district provides the parent with prior written notice of the change in placement;
- (9) If the parent requests a specific placement that the team rejects, the district provides a prior written notice of refusal.

## 2. Incarcerated Youth

- a. The placement team may modify the student's placement if the state has demonstrated a bona fide security or compelling penological interest that cannot be otherwise accommodated. The requirements related to least restrictive environments do not apply with respect to these modifications.

## 3. Nonacademic Settings

- a. The district takes steps to provide nonacademic and extracurricular services and activities in the manner necessary to afford students with disabilities an equal opportunity for participation in those services and activities.
- b. Nonacademic and extracurricular services and activities include all those available to nondisabled students and may include:
  - (1) Counseling services;
  - (2) Athletics;
  - (3) Transportation;
  - (4) Health services;
  - (5) Recreational activities;
  - (6) Special interest groups or clubs;
  - (7) Referrals to agencies that provide assistance to individuals with disabilities; and
  - (8) Employment of students.