

4.49—SPECIAL EDUCATION

The district shall provide a free appropriate public education and necessary related services to all children with disabilities residing within the district, as required under the Individuals With Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973, the Americans With Disabilities Act, and Arkansas Statutes.

It is the intent of the district to ensure that students who are disabled within the definition of Section 504 of the Rehabilitation Act of 1973 are identified, evaluated and provided with appropriate educational services. Students may be disabled within the meaning of Section 504 of the Rehabilitation Act even though they do not require services pursuant to the IDEA.

For students eligible for services under IDEA, the District shall follow procedures for identification, evaluation, placement, and delivery of services to children with disabilities provided in the state and federal statutes governing special education. Implementation of an Individualized Education Program (IEP) in accordance with the IDEA satisfies the district's obligation to provide a free and appropriate education under Section 504.

The Board directs the superintendent to ensure procedures are in place for the implementation of special education services and that programs are developed to conform to the requirements of state and federal legislation. *[The superintendent is responsible for appointing a district coordinator for overseeing district fulfillment of its responsibilities regarding students with disabilities.](#)*¹ Among the coordinator's responsibilities shall be ensuring district enforcement of the due process rights of students with disabilities and their parents.

Note: ¹ The Office of Civil Rights prefers that the name of the coordinator, or at least a contact person or phone number to call to get the name of the coordinator, is made readily available to the public. 34CFR104.32 stipulates that as part of "child find" responsibilities, districts take appropriate steps to notify individuals with disabilities and their parents or guardians of the district's child find duty.

Legal References: 34 C.F.R. 300 et seq.
 42 U.S.C. §12101 et seq. Americans with Disabilities Act
 29 U.S.C. § 794 Rehabilitation Act of 1973, Section 504,
 20 U.S.C. §1400 et seq. Individuals with Disabilities Education Act,
 P.L. 108-446 The 2004 Reauthorization of the Individuals with Disabilities Act
 A.C.A. § 6-41-102
 A.C.A. § 6-41-103
 A.C.A. § 6-41-201 et seq.

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