

IDEA – SPECIAL EDUCATION

As defined by federal law, special education means specially designed instruction, at no cost to the parents, to meet the unique needs of a child with a disability [IDEA 97 300.26(a)]. Arizona Revised Statutes defines a "child with a disability" as a child who is at least three but less than twenty-two years of age, who has been evaluated and found to have a disability and who, because of the disability, requires specially designed instruction and related services in order to access the curriculum, and related services [ARS 15-761(2)].

Child Find

Child find is a component of the Individuals with Disabilities Education Act (IDEA '04) that requires Public Education Agencies (PEA) to locate, identify, and evaluate all children with disabilities, aged birth through 21, located within their boundaries of responsibility who are in need of early intervention or special education services.



45-Day Screening Process:

Arizona State Board of Education rules (found in the Arizona Administrative Code) require that "identification (screening for possible disabilities) shall be completed within 45 calendar days after entry of each student and any student enrolling without appropriate records of screening, evaluation, and progress in school, or after notification to the [school] by parents of concerns regarding developmental or educational progress by their child aged 3 years through 21 years." [A.A.C. R7-2-401(D)(5)]

"If a concern about a student is identified through screening procedures or through review of records, the public education agency shall notify the parents of the student of the concern within 10 school days and inform them of the public education agency procedures to follow-up on the student's needs." [A.A.C. R7-2-401(D)(8)]

Transfer of Parental Rights at Age of Majority §300.520

1. When a child with a disability reaches age 18, unless that child has been determined to be incompetent:
 - a. Graduation Solutions will provide any notice required by the IDEA regulations to both the child and the parents; and
 - b. All rights accorded to parents under Part B of the Act transfer to the child.
2. When the rights are transferred, Graduation Solutions will provide notice to the child and parent of the transfer of rights.
3. Transfer of Rights/Age of Majority - [Parent Brochure](#)
 - a. The age of majority is when children legally become adults. At such time, they gain the rights of adults, which include the right to vote, marry, apply for a credit card, make medical and financial decisions for themselves, sign contracts, live independently, and much more. In most states the age of

majority is age 18.

PROCEDURAL SAFEGUARDS Policies and Procedures:

Graduation Solutions will establish, maintain, and implement procedural safeguards that meet the requirements of §§300.500 through 300.536 of the IDEA regulations.

Opportunity to Examine Records; Parent Participation in Meetings §300.50:

1. Graduation Solutions will ensure that the parents of a child or an adult student with a disability shall be given an opportunity to inspect and review all education records with respect to the identification, evaluation, educational placement, and the provision of FAPE to the child.
2. Graduation Solutions will ensure that the parents of a child (A student under the age of 18) with a disability shall:
 - a. Be given an opportunity to participate in meetings with respect to the identification, evaluation, educational placement, and the provision of FAPE to the child.
 - b. Be provided notice consistent with §300.322 to ensure they have the opportunity to participate in meetings.
 - c. Be members of any group that makes decisions on the educational placement of their child.
3. If neither parent or adult student can participate in a meeting in which a decision is to be made relating to the educational placement of their child, Graduation Solutions will use other methods to ensure their participation, including individual or conference telephone calls, or video conferencing.
4. A placement decision may be made by a group without the involvement of the parent/adult student, if Graduation Solutions is unable to obtain the parent's/adult student's participation and has maintained a record of its attempts to ensure their involvement.

Indicator 13 Requirements

Beginning not later than the first IEP to be in effect when the child turns 16, or younger if determined appropriate by the IEP team, certain secondary transition components must be included in the IEP.

Required components include:

- Age-appropriate Transition Assessments
- Measurable Postsecondary Goals (MPGs)
- Coordinated Set of Activities
- Course of Study

- Aligned Annual IEP Goals

Summary of Performance

A summary of academic achievement and functional performance, including recommendations to assist an exiting student in meeting his or her measurable postsecondary goals for students whose eligibility terminates due to graduation from high school with a regular diploma or exceeding the age (22) eligibility for free appropriate public education (FAPE), must be developed.

SECTION 504 OF THE REHABILITATION ACT OF 1973

Pursuant to Section 504 of the Rehabilitation Act of 1973, the District has a duty to identify, refer, evaluate and, if eligible, provide a free, appropriate public education to disabled students. Purpose: The purpose of Section 504 is to assure that disabled students have educational opportunities and benefits equal to those provided to nondisabled students. An eligible student under Section 504 is a student who has a physical or mental impairment that substantially limits a major life activity.

Arizona Department of Education The Arizona Department of Education has an excellent website that provides parents with additional information. Below are the helpful documents on the website:

- [Understanding Special Education](#)
- [Parental Rights Handbook This document is also located in the parent resources section on the district website.](#)
- [Traveling the Special Education Highway](#)
- [Post-Secondary Transition Padlet](#)

Any and all requests for Special Education information should be requested to our Special Education Office:

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