

## **DISTRICT ASSURANCES FOR CHILDREN WITH DISABILITIES**

The Jackson Public School District is committed to providing appropriate educational services to children with disabilities by ensuring the delivery of educational opportunities that meet the needs and enrich the lives of JPS scholars with disabilities through age twenty-one. These opportunities will be provided per applicable state and federal laws and court decisions.

### ***SECTION I: FREE APPROPRIATE PUBLIC EDUCATION***

The District will provide a free appropriate public education to children ages three (3) through twenty (20), with a disability who need special education and, as appropriate, related services as defined under Part B of the Individuals with Disabilities Education Improvement Act of 2007 (IDEA), Mississippi statutes, and the Mississippi Department of Education policies. A free appropriate public education will be provided to scholars with disabilities who are enrolled in the district and who are residing within the jurisdiction of the district. These services will be provided at no cost to the parent, will meet the standards of the Mississippi State Board of Education, and will stand in conformity with a scholar's Individualized Education Program (IEP). The provision of a free appropriate public education will continue for a scholar with a disability through the school year in which a scholar reaches age twenty-one (21) if the scholar was enrolled in the district and was twenty (20) at the beginning of the school year.

Preschool scholars who have been determined to have a disability under IDEA, Part B, shall be provided a free appropriate public education following an Individualized Education Plan (IEP) or Individualized Family Service Plan (IFSP) no later than their third (3) birthday.

Children participating in early-intervention programs under Part C of IDEA, and who are eligible and will participate in preschool programs under Part B of IDEA, will experience a smooth and effective transition to the district's preschool program. Appropriate district personnel will participate in transition planning conferences arranged by the Department of Health, the lead agency for Part C of IDEA.

Per Part B of IDEA regulations, scholars with disabilities who have graduated from high school with a general education diploma are not entitled to a free appropriate public education by the district.

Procedures for implementing this policy by the district are those contained in the state regulations that are relevant to local school districts and issued by the Mississippi Department of Education.

### ***SECTION II: FULL-SERVICE GOAL***

The District is committed to serving scholars with disabilities and hereby sets a goal of providing full educational opportunities to all scholars with disabilities through age twenty-one. The opportunities will be provided in accordance with applicable state and federal laws and court decisions. At this point, Mississippi Law does not allow public schools to provide educational opportunities to scholars with disabilities over the age of twenty.

### ***SECTION III: CHILD FIND***

The District will continue its efforts to search for under-served children, ages birth through twenty-one, who need special education and related services as defined under IDEA, Part B. Children with disabilities, including children who are homeless or are wards of the State, regardless of their

disability, are identified, located, and evaluated for services. Following IDEA, Part B, the District will conduct Child Find activities for children who reside in the district's jurisdiction and who are enrolled in the district.

Similar Child Find activities undertaken for the public-school children enrolled in the District will be conducted concerning the identification, location, and evaluation for those children with disabilities who are enrolled in private, including religious, elementary, and secondary schools located within the boundaries of the district. The Child Find process will be completed in a time period comparable to that for other scholars enrolled and attending public schools within the district.

The District will adhere to the relevant policies and the procedures for implementation of the Child Find requirements for local school districts under IDEA, Part B, as issued by the Mississippi Department of Education.

#### ***SECTION IV: EVALUATION AND DETERMINATION OF ELIGIBILITY – PROTECTION IN EVALUATION***

All testing and evaluation materials and procedures used by District personnel for assessment and placement will be, to the maximum extent possible, selected and administered so as not to be racially or culturally discriminatory. The District will ensure that no child will be misclassified, misplaced, or unnecessarily identified as having a disability because of the inappropriate selection, administration or interpretation of materials or procedures. Such materials or procedures shall be provided and administered in the child's native language or mode of communication, unless it clearly is not feasible to do so. No single procedure shall be the sole criterion for determining an appropriate educational program for a child.

The District will conduct a full and individual initial evaluation in accordance with the policies and procedures of Mississippi Department of Education prior to the initial provision of special education and related services to a scholar with a disability. Following a referral for an initial evaluation, the District will ensure a Comprehensive Assessment is conducted. A reevaluation of each student with a disability will be conducted in accordance with the regulations of the Mississippi Department of Education.

All initial evaluations and reevaluations conducted by the District will be provided at no cost to the parent. The District's procedures for implementation of this policy are those contained in the state regulations issued by the Mississippi Department of Education.

#### ***SECTION V - CONFIDENTIALITY OF INFORMATION***

The District will protect the confidentiality of any personally identifiable data, information, and records collected and maintained relative to scholars with disabilities as required under IDEA, Part B, and the Family Educational Rights and Privacy Act (FERPA). The procedures for implementation of this policy are those contained in the state regulations issued by the Mississippi Department of Education

## ***SECTION VI: INDIVIDUALIZED EDUCATION PROGRAM (IEP)***

In accordance with the Mississippi Department of Education policies and regulations, the district will ensure the development, implementation, review, maintenance, and revision of each scholar's IEP periodically, but not less than annually. Educational placement decisions will be determined by a scholar's IEP Committee, except when a school official has the authority under IDEA, Part B, to remove a scholar with a disability from the scholar's current placement due to a violation of school rules. The district will initiate and conduct IEP meetings to develop, review, and revise the IEP of a scholar residing within its jurisdiction who is provided special education and related services in accordance with the regulations issued by the Mississippi Department of Education. The district's procedures for implementation of this policy are those contained in the state regulations issued by the Mississippi Department of Education.

## ***SECTION VII: PROCEDURAL SAFEGUARDS***

The district will ensure the provision of the rights and the procedures provided to parents and scholars with disabilities as required under IDEA, Part B, and the regulatory policies and procedures issued by the Mississippi Department of Education. The district will ensure that scholars with disabilities and their parents are guaranteed due process with respect to the provision of a free appropriate public education. The district's procedures for implementation of this policy are those contained in the state regulations issued by the Mississippi Department of Education.

A copy of the procedural safeguards available to the parents of a child with a disability must be given to the parents only one (1) time a school year, except that a copy also must be given to the parents:

1. Upon initial referral or parent request for evaluation;
2. Upon a parent filing a request for due process complaint;
3. Upon a disciplinary action constituting a change in placement; and/or
4. Upon request by a parent.

The notice will fully explain the safeguards in the parents' native language unless it is clearly not feasible to do so.

## ***SECTION VIII: LEAST RESTRICTIVE ENVIRONMENT***

To the maximum extent appropriate, the District teaches scholars grouped by their age range, educating students with disabilities together with scholars having no disabilities. Scholars with disabilities are not removed from the regular educational environment unless the nature or severity of the disability is such that education in regular classes with supplementary aids and services cannot be achieved satisfactorily. A continuum of alternative placements based on individual scholars' IEPs will be provided to scholars with disabilities in the District and their parent/guardian. Placement of the scholars will be determined at least on an annual basis and will be as close to the scholar's home as possible. In selecting the least restrictive environment for each scholar, consideration is given to any potentially harmful effect on the scholar or the quality of services needed.

The District's procedures for implementation of this policy are those contained in the state regulations issued by the Mississippi Department of Education. The IEP Committee, when determining placement of each scholar with a disability, will utilize this policy and the designated procedures

#### ***SECTION IX: PLACEMENT IN PRIVATE SCHOOLS BY AGENCY***

The district ensures each scholar with a disability under IDEA, part B, placed in or referred to a private school by the district will be provided special education and related services as stipulated by the IEP. The district will be responsible for the educational cost of such placement and will ensure that in the district's judgment an appropriate education is available. Scholars with disabilities placed in a private school or facility by the district will have all of the rights under IDEA of a scholar with a disability that is served within the district.

#### ***SECTION X: PLACEMENT IN PRIVATE SCHOOLS BY PARENT***

In accordance with the Individuals with Disabilities Education Improvement Act of 2004, the district will not be required to pay for the cost of education, including special education and related services, of a scholar with a disability placed at a private school or facility by their parents if the district made a free appropriate public education available to the scholar.

#### ***SECTION: XI: PLACEMENT IN PRIVATE SCHOOLS BY PARENT – PARTICIPATION PROVISION UNDER IDEA***

To the extent consistent with the number and location of children with disabilities enrolled by their parents in private schools, including religious, elementary schools, and secondary schools located within the jurisdiction of the District, a provision will be made for their participation in activities assisted or carried out under Part B of the Individuals with Disabilities Education Improvement Act of 2004 (IDEA) by providing them an opportunity to receive special education and/or related services by the policies and procedures under IDEA, Part B, and those issued by the Mississippi Department of Education.

#### ***SECTION XII: PERFORMANCE GOALS***

The Jackson Public School District will utilize the established performance goals and indicators established by the Mississippi Department of Education to assess the district's progress toward achieving those established goals.

#### ***SECTION XIII: PARTICIPATION IN STATE AND DISTRICT-WIDE ASSESSMENTS***

The District will ensure children with disabilities are included in all general state and district wide assessment programs, with appropriate accommodations in the administration of such tests in accordance with the policies and procedures established by Mississippi Department of Education and the local school district. Children with disabilities who cannot participate in general state and district-wide assessment programs with accommodations will be provided an alternative assessment in accordance with policies and procedures established by the Mississippi Department of Education and the local school district and as indicated in their respective individualized education programs.

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