

DISTRICT OPERATION

ARTICLE 0

SERIES 0000

0. Legal Status of School District	0000
1. Philosophy	0100
A. Equal Educational Opportunities	0110
2. Mission Statement	0200
A. Goals for Student Learning	0210
B. School Evaluation	0220
C. Goals for School Operations	0230
3. Policies for Chadron Public Schools	0300
4. Comprehensive Plans	
A. Nondiscrimination	0410
B. Comprehensive Local Plan for Special Education	
1. Childfind	0431
2. Multidisciplinary Evaluation	0432
3. Individual Education Program	0433
4. Least Restrictive Environment	0434
5. Confidentiality	0435
6. Surrogate Parents	0436
7. Comprehensive System of Personnel Development	0437
8. Transportation	0438

DISTRICT OPERATIONS

Legal Status of School District

0000

The Chadron Public Schools are authorized and maintained by laws of the State of Nebraska applying to Class III Districts. The Constitution of the State of Nebraska (Article VII, Section 6) and State statutes give the responsibility for providing free public education to the State Legislature. School districts in Nebraska were created by the legislature to implement their responsibility of free public education.

The Chadron Public School District is a Class III District (State School Laws, Section 79-801) and its official name is Dawes County School District #2, but for all purposes of business, except where the name is mandatory, the Chadron Public Schools may be used as the business title of the district.

In that name it shall be a body corporate and possess all the usual powers of a corporation for public purposes, and the name and style may sue and be sued, purchase, hold and sell such personal property and real estate, and control such obligations as are authorized by law.

Nebraska Statutes shall govern the actions and policies of the Chadron Public Schools Board of Education.

DISTRICT OPERATIONS

Philosophy

0100

We believe that opportunities for an educational fulfillment must be afforded to all children. We believe that in a democracy education is both a privilege and a responsibility. This implies that there should be an early awakening of the student's and to the almost limitless fields of endeavor and contributions to society unfolding before him or her. All persons need to become aware of the demands of a democratic society that insists that they assume an active role in its promulgation rather than be a passive recipient of its favors.

Inasmuch as children of school age are in the formative stages of life, we believe that the persons entrusted with formal education must be fully aware of the responsibility of molding these individuals into happy, well-adjusted, efficient citizens who are equipped to meet the demands of living in a modern society with its changing concepts and who are responsible for their own decisions.

We believe it to be the basic goal of the school to teach fundamental skills as well as to stimulate curiosity and creativity. As a result, students should develop a sense of self worth and personal integrity, the ability to think clearly, to communicate effectively, to make relevant judgements, and to discriminate among values.

We believe that the school is a prime agent in passing on the heritage of the American way of life, with its democratic processes, and that it is the obligation of the school to transmit the foundations, developments and aspirations of our democratic American culture.

We believe the school should provide a background of cultural knowledge that will enable the student to live a rich full life beyond the economic pressures of earning a livelihood. This implies an appreciation of the humanities, the arts and the ethical and moral values which are inherent in our culture and the cultures of the world of which we are a part.

We believe that the educated adult is a composite of many experiences in many situations and that the school should be a cooperating agency working with other agencies that contribute toward the total development of the individual.

We believe that a wide program of participatory activities should be offered to meet the needs and interest of each individual, recognizing and accounting for differences in skills and abilities.

We believe that any philosophy of education is dependent on the vision and ideals of the educators as they endeavor to implement its provisions. This calls for staff members who are dedicated to the finest development of our youth.

Legal Reference: 79-440 Board of education; maintain schoolhouse
 79-443 District board; schools; supervision and control.

DISTRICT OPERATIONS

Equal Educational Opportunities

0110

The Chadron Public Schools reaffirms its commitment to a policy of providing equal educational opportunities for all students commensurate with their needs, abilities, and diverse cultural backgrounds. It is the policy of the Chadron Public Schools to comply with appropriate regulations, and state and Federal agencies with appropriate authority. The Board believes that this policy is enhanced by a climate in which good human relations can flourish. Such a climate can only be fostered by communication among all groups in the District, --- students, parents, certificated and classified staff, administration, the Board and the community.

Adopted: 11-16-98
Amended:

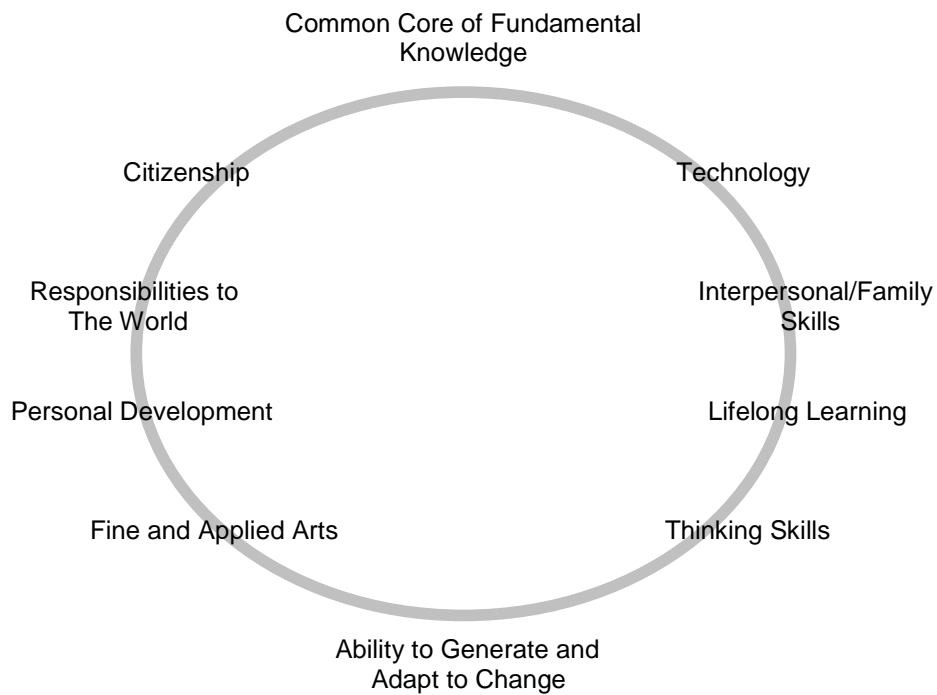
Chadron Public Schools
Chadron, Nebraska

DISTRICT OPERATIONS

Mission Statement

0200

It is the mission of the Chadron Public School District to provide a safe, nurturing, and equitable learning environment where each student develops positive attitudes toward, as well as competencies in:



On this basis, the Chadron Community and the Public School District are committed to excellence and graduating students with a zest for learning and preparation for living in a rapidly changing world.

DISTRICT OPERATIONS

Goals for Student Learning

0210

The educational challenges facing the nation, state, and local school district are greater than ever before. The board of education pledges to provide an educational system that can meet the challenges.

The goals of the district guide the establishment of board policies, the efforts of the local school system, and define the role of the schools.

Goals

The schools should seek to work with the students so that the students develop competence in those areas of life which are essential to individual and group living. The competence areas that are considered essential education goals are:

1. Communication
2. Computation and Science
3. Reasoning
4. Responsible Citizenship
5. Arts and Humanities
6. Physical and Mental Well-Being
7. Learning to Learn

Each of these education goals has a range of elements of varying degrees of measurement. Breadth in scope is needed in order that students of varying capabilities and interest might have alternative routes of reaching the goals. Each goal should allow and encourage high degrees of mastery and yet be such that minimum objectives should be reached by all.

Objectives

The following objectives give measurable definition and provide more specific direction to each of the goals.

Communication. Fundamental to learning is communication, including reading, writing, listening, speaking, and observation. Each is important in and of itself. Together they allow individuals and groups to learn, and develop. The schools should teach each of the facets of communication.

Computation and Science. Society demands individuals who know and understand the realm of numbers – the use of finite measures and their creative potential. Schools should teach arithmetic and some of the higher levels of mathematics. Also, schools should provide students with knowledge of emerging and potential means of data and other information processing.

Scientific means and inquiry are increasingly essential to quality living, the preservation of human ability to use the environment constructively and further exploration of the unknown. Schools should complement their teaching of mathematics and information processing with knowledge of and skills in the sciences. Schools should teach those sciences concerned with earth, life, and the atmosphere.

Reasoning. Logical thinking and self-understanding are important assets for persons living in a democratic and progressive society. Schools should teach students the skills of logic, inquiry, experimentation, and research. Also, schools should assist students in (a) gaining confidence in their own abilities and talents; (b) learning to control and discipline their own desires, actions, and habits; (c) becoming aware of their own potential, character, and abilities; (d) learning to rely upon their own judgments and abilities; and (e) forming accurate perceptions of themselves and others. These perceptions and understandings should lead to and emphasize ethics, rationality, and reasoning.

Responsible Citizenship. Each individual has responsibilities toward society as well as self. Among these societal responsibilities are civic, economic, and social responsibilities.

Good citizenship involves a thorough knowledge of history, tradition, and heritage. This knowledge should include the privileges, burdens, and responsibilities handed down through generations. In addition to this knowledge, students should be provided a variety of experiences in and out of the schools to practice or assume responsibilities for maintaining the good that exists in society and to seek to learn about those elements of our culture which might need change.

Economic Competence. Students should have a basic understanding of production, consumption, and finance. Schools should provide such an understanding as well as knowledge about the successes and failures of the various economic systems and of how to function in our system. Also, schools should teach personal finance so that students are able to arrange their own affairs effectively. Finally, schools should assist students in recognizing potential vocational skills and in acquiring the preliminary knowledge and skills needed to develop specific vocational competence to be gained in postsecondary education and/or business.

Each person is rapidly becoming more dependent on others and less self-sufficient. In such a society, schools should teach students more about their own society and the various cultures and societies of the state, nation, and world. Also schools should assist students in developing group skills which can enable individuals to relate more effectively to others.

Arts and Humanities. Students should learn how to combine their intellectual and creative abilities. Schools should expose students to the various art forms. In doing so, schools should assist each student in acquiring an appreciation of a variety of aesthetic values. They also should expose students to the various elements of the humanities.

Physical and Mental Well-Being. Physical and mental health is essential to a satisfactory life. Schools should help students to understand and develop good health habits and physical development.

Learning to Learn. The changing interests of people, altering economic conditions, and changing of vacations by persons indicate a clear need for schools to develop in students a desire for continued learning as well as the skills to do so. Schools should teach students that learning is a lifelong process. Also, schools should teach student how to identify and define a problem they wish to address, gather appropriate information relating to the problem, and develop discrete and logical alternative plans for solving the problem.

Legal Reference: 79-443 District Board; schools; supervision and control

DISTRICT OPERATIONS

School Evaluation

0220

Definition of goals is a necessary step in program development. Equally necessary is a plan of assessment of accomplishment. Accordingly, the school district shall insure that progress for each student is assessed in a realistic and consistent pattern. School evaluation should involve measures of how well individual students are progressing toward goals of the district and specific curricular objectives. Evaluation plans shall include more than standardized achievement tests. Measures shall deal also with effectiveness of communication, computation, reasoning, responsibility, arts and humanities, physical and mental well being, and learning to learn programs.

DISTRICT OPERATIONS

Goals for School Operations

0230

The schools shall develop means of assessing success in relation to the goals of the school district. School evaluation should provide educators and community members with a clear idea of how well schools are achieving what they seek to achieve.

Each year the Chadron Public Schools will establish goals and objectives for the district. The staff and the board will consider its written goals annually and as a result will reaffirm, add to or alter goals for the schools as expressed in policies 0210, 0220 and 6120 of this manual.

The board and the staff may also develop specific short-term goals and objectives which will be consistent with the intent of policies 0210, 0220, and 6120 of this manual.

DISTRICT OPERATIONS

Policies for the Chadron Public Schools

0300

The Chadron Public Schools have established this set of board policies and administrative regulations to guide the operation of the schools. The policies are board-adopted statements which state what our schools should be doing and seek to accomplish such. The administrative regulations are educational statements about how the staff will go about the implementation of board policies. Also included near the end of this manual is a set of board bylaws. They are specifically designed to help the board govern its own conduct.

Our district is a creature of the state; hence, all laws and regulations of the state govern the operation of our schools. These policies, regulations, and bylaws are extensions of state requirements and are equally mandatory in our schools.

All personnel and citizens of our district are subject to these guiding statement of operation and must adhere to them.

These policies, regulations and bylaws provide for grievances concerning them and procedures for their change if need be.

DISTRICT OPERATIONS

Nondiscrimination

0410

It shall be the policy of the Chadron Public Schools and the Chadron Public Schools' Board of Education not to discriminate on the basis of sex, handicap, race, color, religion, marital status, or national or ethnic origin in its educational programs, activities, or employment as required by title VI, Title IX, and Section 504 of Federal law and ADA.

Regular established grievance procedures should be followed for any grievance resulting from alleged acts of discrimination.

Adopted: 10-8-98
Amended:

Chadron Public Schools
Chadron, Nebraska

DISTRICT OPERATIONS

Childfind

0431

The Chadron Public Schools insure that all children residing within the district who have a disability, and who are in need of special education and related services are identified, located and evaluated. The district will develop a practical method of determining which children are currently receiving needed special education and related services and which children are not receiving needed special education and related services.

(Reference: 34 CFR 300.220; NAC 51-006.01A)

DISTRICT OPERATIONS

Multidisciplinary Evaluation

0432

The Chadron Public Schools insures that:

1. for a school age student, a general education student assistance team (SAT) or a comparable problem solving team is used prior to referral for multidisciplinary team evaluation. (Reference: 92 NAC 51-006.01B1)
2. the SAT or comparable problem solving team utilizes and documents problem solving and intervention strategies to assist the teacher in the provision of general education. (Reference: 92 NAC 51-006.01B2)
3. a referral for multidisciplinary evaluation is completed when the student assistance team or comparable problem solving team feels that all viable alternatives have been explored. The district further insures that the referral includes information from the SAT or comparable problem solving team process, including a listing of the members. (Reference: 92 NAC 51-006.01B3)
4. before any action is taken with respect to the initial placement of a child with a disability in a program providing special education and related services, a full and individual evaluation of the child's educational needs will be conducted in accordance with the requirements in 92 NAC 51-006.02A through 006.02D. (Reference: 34 CFR 300.531)
5. evaluation are provided and administered in the child's native or predominant language or other mode of communication unless it is not feasible to do so. (Reference: 34 CFR 300.532a; 92 NAC 51-006.02A)
6. all evaluation instruments have been validated for the specific purpose for which they are used; and are administered by trained personnel in conformance with the instructions provided by their producer. (Reference: 34 CFR 300.532a; 92 NAC 51-006.02A)
7. testing materials and procedures are selected and administered so as not to be racially or culturally discriminatory. (Reference: 34 CFR 300.532a; 92 NAC 51-006.02A)
8. tests and other evaluation materials will include those tailored to assess specific areas of developmental, educational and vocational need and not merely those which are designed to provide a single general intelligence quotient. (Reference: 34 CFR 300.532b; 92 NAC 51-006.02B)
9. tests will be selected and administered so as to best insure that when a test is administered to a child with impaired sensory, manual or speaking skills, the test results accurately reflect the child's aptitude or achievement level or whatever other factors the test purports to measure, rather than reflecting the child's impaired sensory, manual, or speaking skills (except where those skills are the factors which the test purports to measure). (Reference: 34 CFR 300.532c; 92 NAC 51-006.02C)
10. no single procedure will be used as a sole criterion for determining an appropriate educational program for a child. (Reference: 34 CFR 300.532d; 92 NAC 51-006.02D)

11. each evaluation is conducted by a multidisciplinary team or group of persons, including at least one teacher or other specialist with knowledge in the area of the suspected disability. (Reference: 34 CFR 300.532e; 92 NAC 51-006.01M)
12. the multidisciplinary team shall be responsible for the analysis, assessment and documentation of educational and developmental abilities and needs of each child referred for the purpose of individual evaluation. (Reference: 92 NAC 51-006.03A)
13. the multidisciplinary evaluation team will use the verification criteria found in 92 NAC 51-006.04 and the definitions found in 51-003.07 to make all verification decisions. Documentation information will be collected to facilitate the development of a statement of present level of development and educational performance on the individual education program (IEP) for each child evaluated. (Reference: 92 NAC 51-006.03A)
14. if the child being evaluated is attending a nonpublic school, an administrator or a designated representative of the nonpublic school will be a member of the MDT. (Reference: 92 NAC 51-006.03B)
15. will attempt to obtain data concerning the suspected disability from the parent of the child, and that all data obtained will be documented and considered by the MDT when making verification decisions. (Reference: 92 NAC 51-006.03C)
16. the parents will be invited to participate in the MDT verification process which may include MDT meetings. (Reference: 92 NAC 51-006.03C)
17. each child will be assessed in all areas related to the suspected disability, including where appropriate, health, vision, hearing, social and emotional status, adaptive behavior, and motor abilities. (Reference: 34 CFR 300.532(f); 92 NAC 51-006.03D)
18. multidisciplinary evaluation team written report for al suspected disabilities except specific learning disabilities. (Reference: 92 NAC 51-006.03E)
19. the team will prepare a written report of the results of the evaluation. (Reference: 92 NAC 51-006.03E1)
20. the report will include a statement of: (a) whether the child qualifies as a child with a disability based on the criteria contained in 92 NAC 51-006.04 and definition contained in 003.07 with reference to the specific disability; (b) the basis for making the decision; (c) a listing of the team members; (d) each member's certification in writing if the report reflects his/her conclusion (if not, member will submit a separate report) (Reference: 92 NAC 51-006.03E2a; 92 NAC 51-006.03E2b; 92 NAC 51-006.03E2c; 92 NAC 51-006.03E2d)
21. multidisciplinary team evaluation written report for a child with a suspected learning disability. (Reference: 34 CFR 300.543; 92 NAC 51-006.03F)
22. the MDT will prepare a written report of the results of the evaluation. (Reference: 34 CFR 300.543a; 92 NAC 51-006.03F1)

23. the report will include a statement of: (a) whether the child has a specific learning disability based on the criteria contained in 92 NAC 61-006.04J and the definition found in 003.071; (b) the basis for making the determination; (c) the relevant behavior noted during the observation of the child; (d) the relationship of that behavior to the child's academic functioning; (e) the educationally relevant medical findings, if any; (f) whether there is a severe discrepancy between achievement and ability which is not correctable without special education and related services; (g) the determination of the team concerning the effects of environment, cultural or economic disadvantages; (h) the case manager insures that the team report contains the required information; (i.) a listing of team members; (j) each member's certification in writing if the report reflects his/her conclusion (if not, member will submit a separate report) (Reference: 34 CFR 300.543(b)(1); 92 NAC 51-006.03F1; 92 NAC 51-006.03F2a; 92 NAC 51-006.03F2b; 92 NAC 51-006.03F2c; 92 NAC 51-006.03F2d; 92 NAC 51-006.03F2e; 92 NAC 51-006.03F2f; 92 NAC 51-006.03F2g; 92 NAC 51-006.03F2h; 92 NAC 51-006.03F3)
24. for a school age student who after initial MDT evaluation does not qualify for special education services or for a student with a verified disability who upon reevaluation no longer qualifies for special education services, a problem solving team shall document a plan to assist the teacher(s) in the provision of regular education. (Reference: 92 NAC 51-006.03G)
25. the district will evaluate each child with a previously verified disability at least every three years or more frequently if conditions warrant or if the child's parent(s) or teacher request a reevaluation. The reevaluation will be based on the verification procedures required in 92NAC51-006. (Reference: 34 CFR 300.543(b); 92 NAC 51-006.05A)

DISTRICT OPERATION

Individual Education Program

0433

The Chadron Public Schools will:

1. develop and implement an individual education program (IEP) for each resident public and nonpublic school child who receives special education services.
2. establish and demonstrate procedures for developing, implementing, reviewing, revising, maintaining records for and evaluating IEP's. The IEP will be in effect before special education and related services are provided to a child, and must be implemented as soon as possible. (Reference: 34 CFR 300.341<a>; 300.341<1>; 300.341<2>; 300.348<a> 92 NAC 51-007.02A)
3. initiate and conduct an IEP conference for the purpose of developing, reviewing and revising the IEP for a child with a disability. (Reference: 34 CFR 300.343<a>; 92 NAC 51-007.03C)
4. hold an IEP conference within thirty (30) calendar days of the verification of the child's disability. (Reference: 34 CFR 300.343<c>; 92 NAC 51-007.03C)
5. initiate, conduct and document conferences to periodically review each child's IEP and, if appropriate, revise its provisions. A conference will be held for this purpose at least once a year for students 5-21 years and semiannually for children below age five. (Reference: 34 CFR 300.343<d>; 92 NAC 51-007.03B)
6. after the initial IEP conference, the district will assure that IEP conferences be held at any time throughout the year, as long as the IEP's are in effect at the beginning of each school year. (Reference: 34 CFR 300.345<a>)
7. take steps to insure that one or both of the parents of the child with a disability are present at each meeting and are afforded the opportunity to participate. Parents shall be notified early enough to insure that they will have an opportunity to attend. (Reference: 34 CFR 300.345<a>; 300.345<a><1>92 NAC 51-007.04A & 007.04A1)
8. schedule the IEP meeting at a mutually agreed upon time and place. (Reference: 34 CFR 300.345<a><2>; 92 NAC 51-007.04A2)
9. notify parents of the IEP meeting, specifically indicating the purpose, time and location of the meeting and who will be in attendance. (Reference: 34 CFR 300.345; 92 NAC 51-007.04B)
10. if the purpose of the meeting is the consideration of transition services for a student, the district shall invite the student. (Reference: 34 CFR 300.344<c><1><i>)
11. if the student does not attend, the district shall take other steps to ensure that the student's preferences and interests are considered. (Reference: 34 CFR 300.344<c><2>)
12. if a purpose of the meeting is the consideration of transition services for a student, the district shall invite a representative of any other agency that is likely to be responsible for providing or paying for transition services. (Reference: 34 CFR 300.344<c><1><ii>)
13. if an agency invited to send a representative to a meeting does not do so, the district shall take other steps to obtain the participation of the other agency in the planning of any transition services. (Reference: 34 CFR 300.344<c><3>)

14. in the event that neither parent can attend the IEP meeting, the district will use other methods to insure parent participation, including individual or conference telephone calls. (Reference: 34 CFR 300.345<c>; 92 NAC 51-007.04C)
15. conduct an IEP meeting without a parent in attendance if the district is unable to convince the parents that they should attend. In this case the district shall have a record of its attempts to arrange a mutually agreed upon time and place. (Reference: 34 CFR 300.345<d>; 92 NAC 51-007.04D)
16. maintain detailed records of telephone calls made or attempted and the results of those calls in an effort to arrange a mutually agreed upon time and place for of the IEP meeting. (Reference: 34 CFR 300.345<d><1>; 92 NAC 51-007.04D1)
17. maintain copies of correspondence sent to the parents and any responses received, when trying to arrange a mutually agreed upon time and place of the IEP conference. (Reference: 34 CFR 300.345<d><2>; 92 NAC 51-007.04D2)
18. maintain detailed records of visits made to the parents home or place of employment and results of those visits when attempting to schedule a mutually agreed upon time and place for the IEP conference. (Reference: 34 CFR 300.345<d><3>; 92 NAC 51-007.04D3)
19. take whatever action is necessary to insure that the parent understand the proceedings at the IEP conference, including arranging for an interpreter for parents who are deaf or whose native language is other than English. (Reference: 34 CFR 300.345<e>; 92 NAC 51-007.04E)
20. provide parents with a copy of the student's IEP. (Reference: 34 CFR 300.345<f>; 92 NAC 51-007.01)
21. develop an IEP for each child with a disability, and shall include: (a) a statement of the child's present level(s) of development or educational performance; (b) a statement of the annual goals, including short term instructional objectives; (c) a statement of the specific special education and related services provided to the child, and the extent to which the child will be able to participate in regular educational programs; (d) projected dates for initiation of services and the anticipated duration of the services; (e) appropriate objective criteria and evaluation procedures and schedules for determining, on at least an annual basis, whether short term instructional objectives are being achieved; (f) a list of individuals responsible for implementing the IEP; (g) the amount of time per day, days per week, and the number of months of services to be delivered to children below age five; (h) the date of the IEP conference is recorded on the IEP and (i) the IEP for each student, beginning no later than age 16 (and at a younger age, if determined appropriate) must include a statement of the needed transition services as defined in 300.18, including, if appropriate, a statement of each public agency's responsibilities or linkages or both, before the student leaves the school setting. (References: 34 CFR 300.346<a><1>; 300.346<a><2>; 300.346<a><3>; 300.346<a><4>; 300.346<a><5>; 300.346<1>; 92 NAC 51-007.01A; 92 NAC 51-007.01B7; 007.01C; 007.01D; 007.01E; 007.01F; 007.01G; 007.01H; 007.01I; 007.01J; 007.01K)
22. if the IEP team determines that services are not needed in one or more of the areas specified in 300.18(b)(2)(iii), the IEP must include a statement to that effect and the basis upon which the determination was made. (References: 34 CFR 300.346<2>)

23. provide a coordinated set of activities designed within an outcome-oriented process, which promote movement from school to post-school activities, including post-secondary education, vocational training, integrated employment (including supported employment), continuing and adult education, adult services, independent upon the individual student needs taking into account the student's preferences and interests, and shall include instruction, community experiences, the development of employment and other post-school adult living objectives, and, when appropriate, acquisition of daily living skills and functional vocational evaluation. (References: 34 CFR 300.347; 92 NAC 51-008.04A)
24. the plan of transportation and any special conditions necessary for safe transport of the child with a verified disability shall be a part of the IEP when applicable. (Reference: 92 NAC 51-007.01L)
25. that each IEP conference includes the following participants: (a) a representative of the school district, other than the child's teacher, who is qualified to provide or supervise the provision of special education; (b) the child's teacher; (c) one or both of the child's parents, or documentation of the efforts to include the parents in the IEP conference; (d) the child, where appropriate; (e) other individuals at the discretion of the parent or the school district; (f) for children evaluated for the first time, at least one member of the multidisciplinary evaluation team or a person who is knowledgeable about the evaluation procedures used with the child and is familiar with the results of the evaluations; (g) for students attending nonpublic schools, a representative of the nonpublic schools. If the representative cannot attend, other methods will be used to insure participation by the nonpublic school, including individual or conference telephone calls; (h) for children receiving services from an approved service agency, a representative of the service agency. (References: 34 CFR 300.344<a><1>; 300.344<a><2>; 300.344<a><3>; 300.344<a><4>; 300.344<a><5>; 300.344<1>; 300.344<2>; 300.348<a><2>; 300.348<a><2>; 300.349 and 92 NAC 51-007.05A; 007.05A1; 007.05A2; 007.05A3; 007.05A4; 007.05A7; 007.05A8; 007.05A5; 007.05A6)
26. before placing a child in a contracted program, will initiate and conduct a meeting to develop an Individual Education Program. The school district of residence will be responsible for the development and maintenance of the initial IEP, the maintenance of subsequent IEP's and the participation in all IEP meetings. (References: 34 CFR 300.348<a><1> and 300.349<a>; 92 NAC 51-13.02)
27. that after a child with a disability enters a contracted program, any meetings to review and revise the child's individualized education program may be initiated and conducted by the contracted program at the discretion of the school district. (References: 34 CFR 300.348<1>)
28. if a contracted program initiates and conducts an IEP meeting, the district insures that the parents and a school district are involved in any decision about the child's IEP and agree to any proposed changes in the program before those changes are implemented. (References: 34 CFR 300.348<2>; 300.348<2><ii>; 92 NAC 51-013.02A)
29. provide special education and related services to a student with a disability in accordance with an individualized education program. However, an agency, teacher or other person will not be held accountable if a student does not achieve the growth projected in the annual goals and objectives. (Reference: 34 CFR 300.350)

DISTRICT OPERATION

Least Restrictive Environment

0434

The Chadron Public Schools will document through the Special Education Student Information System (SEIS) the types of alternative placements available for children with disabilities, and will also document the number of children with disabilities within each disability category who are served in each type of placement. (References: 34 CFR 300.227<1>and<2>; 92 NAC 51-004.06A)

The Chadron Public Schools insures:

1. to the maximum extent appropriate children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are not disabled. (References: 34 CFR 300.550<1>; 92 NAC 51-008.01A; 008.01C1; 008.01C2008.01C3; 008.01C5)
2. that special classes, separate schooling or either removal of children with disabilities from regular educational environment occurs only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. (References: 34 CFR 300.550<2>; 92 NAC 51-008.01A)
3. that a continuum of alternative placements is available to meet the needs of children with disabilities for special education and related services. (References: 34 CFR 300.551<a>; 92 NAC 51-008.01D)
4. the continuum of alternative placements include instruction to regular classes, special classes, special schools, home instruction, and instruction in hospitals and institutions and make provision for supplementary services (such as resource room or itinerant instruction) to be provided in conjunction with regular class placement. (References: 34 CFR 300.551<1> & <2>; 92 NAC 51-008.01D)
5. responsibility for compliance with the IEP process for eligible special education students even if a nonpublic school or facility implements the child's IEP. (References: 34 CFR 300.348<c>; 92 NAC 51-013.01)
6. that educational placement of each child with a disability is determined at least annually. (References: 34 CFR 300.552<a><1>; 92 NAC 51-008.01F1a)
7. that the educational placement of each child with a disability is based on his or her individual education program. (References: 34 CFR 300.552<a><2>; 92 NAC 51-008.01F1b)
8. that the educational placement of each child with a disability is as close as possible to the child's home. (References: 34 CFR 300.552<a><3>; 92 NAC 51-008.01F1c)
9. that the various alternative placements included under 34 CFR 300.551 (92 NAC 51-8.01D) are available to the extent necessary to implement the individualized education program for each child with a disability. (References: 34 CFR 300.552; 92 NAC 51-008.01F2)
10. that unless the Individual Education Plan (IEP) of a child with a disability requires some other arrangements the child is educated in the school which he or she would attend if not disabled. (References: 34 CFR 300.552<c>; 92 NAC 51-008.01F3)

Least Restrictive Environment (con't)

0434

11. that when selecting the least restrictive environment (LRE), consideration is given to any potential harmful effect on the child or on the quality of services which he or she needs. (references: 34 CFR 300.552<d>; 92 NAC 51-008.01F4)
12. that each child with a disability participates with nondisabled children in nonacademic and extracurricular services and activities to the maximum extent appropriate to the needs of that child. (References: 34 CFR 300.553; 92 NAC 51-008.01C3)
13. that the placement decision is made by a group of persons, including persons knowledgeable about the child and the meaning of the evaluation data and the placement options. (References: 34 CFR 300.553<a><3>; 92 NAC 51-008.01C3)
14. that the placement decision is made in conformity with the least restrictive environment regulations in 91 NAC 51-008.01

DISTRICT OPERATION

Confidentiality

0435

As used in these policies and procedures:

“Destruction” means physical destruction or removal of personal identifiers from information so that the information is no longer personally identifiable.

“Educational records” means the type of records covered under the definition of “education records” in Part 99 of the U.S. statutes implementing the Family Educational Rights and Privacy Act of 1974.

“Participating agency” means any agency or institution which collects, maintains, or uses personally identifiable information, or from which information is obtained under this part.

(References: 34 CFR 300.530; 92 NAC 51-003.11 and 003.13)

The Chadron Public Schools presumes that the parent has the authority to inspect and review records relating to his or her child unless the service agency has been advised that the parent does not have the authority under applicable Nebraska law governing such matters as guardianship, separation or divorce. (References: 34 CFR 300.562<c>; 92 NAC 51-009.01C3)

The Chadron Public Schools will permit parents to inspect and review any education records relating to their children which are collected, maintained, or used by the agency under this part. The district will comply with a request without unnecessary delay and before any meeting regarding an individualized education program or hearing relating to the identification, evaluation, or placement of the child, and in no case more than 45 days after the request has been made. (References: 34 CFR 300.562<a>; 92 NAC 51-009.01C1)

The right to inspect and review education records under this section includes:

1. the right to a response from the school district to reasonable requests for explanations and interpretations of the records; (References: 34 CFR 300.562<1>; 92 NAC 51-009.01C2<a>)
2. the right to request that the school district provide copies of the records containing the information if failure to provide those copies would effectively prevent the parent from exercising the right to inspect and review the records; and (References: 34 CFR 300.562<2>; 92 NAC 51-009.01C2)
3. the right to have a representative of the parent inspect and review the records. (References: 34 CFR 300.562<3>; 92 NAC 51-009.01C2<c>)

The district will keep a record of parties obtaining access to education records collected, maintained, or used under this part (except access by parents and authorized employees of the district), including the name of the party, the date access was given, and the purpose for which the party is authorized to use the records. (References: 34 CFR 300.563; 92 NAC 51-009.01D1)

If any education record includes information on more than one child, the parents of those children have the right to inspect and review only the information relating to their child or to be informed of that specific information. (References: 34 CFR 300.564; 92 NAC 51-009.01E1)

Confidentiality (con't)

0435

The district will provide parents on request a list of the types and locations of educational records collected, maintained, or used by the agency. (References: 34 CFR 300.565; 92 NAC 51-009.01F1)

The district may charge a fee for copies of records which are made for parents under this part if the fee does not effectively prevent the parents from exercising their right to inspect and review those records. (References: 34 CFR 300.565; 92 NAC 51-009.01G1)

The district will not charge parents a fee to search for or to retrieve information under this part (References: 34 CFR 300.566; 92 NAC 51-009.01G2)

1. A parent who believes that information in education records collected, maintained, or used under this part is inaccurate or misleading or violates the privacy or other rights of the child, may request that the information be amended. (References: 34 CFR 300.567<a>; 92 NAC 51-009.01H1)
2. The district will decide whether to amend the information in accordance with the request within a reasonable period of time of receipt of the request. (References: 34 CFR 300.567; 92 NAC 51-009.01H2)
3. If the district decides to refuse to amend the information in accordance with the request it will inform the parent of the refusals, and advise the parent of the right for a hearing under 300.568. (References: 34 CFR 300.567<c>; 92 NAC 51-009.01H3)
4. The district will, on request, provide an opportunity for a hearing to challenge information in education records to insure that it is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child. (References: 34 CFR 300.568; 92 NAC 51-009.01I1)
5. A hearing held under 34 CFR 300.568 and 92 NAC 51-009.01H will be conducted according to the procedures under 34 CFR 99.22 of the Family Rights and Privacy Act. (References: 34 CFR 300.570; 92 NAC 51-009.01H3)
6. If, as a result of the hearing, the district decides that the information is inaccurate, misleading or otherwise in violation of the privacy or other rights of the child, it will amend the information accordingly and so inform the parent in writing. (References: 34 CFR 300.569<a>; 92 NAC 51-009.01J1)
7. If, as a result of the hearing, the district decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child, it will inform the parent of the right to place in the records it maintains on the child a statement commenting on the information or setting forth any reasons for disagreeing with the decision of the district. (References: 34 CFR 300.569; 92 NAC 51-009.01J2)

Any explanation placed in the records of the student under this section will:

1. be maintained by the district as part of the records of the student as long as the record or contested portion is maintained by the district; and (References: 34 CFR 300.569<c>; 92 NAC 51-009.01J3a)
2. if the records of the child or the contested portion is disclosed by the district to any party, the explanation will also be disclosed to the party. (References: 34 CFR 300.569<c><2>; 92 NAC 51-009.01J3b)

Confidentiality (con't)

0435

Parental consent will be obtained before personally identifiable information is:

1. disclosed to anyone other than officials of participating agencies collecting or using the information under this part, subject to paragraph (b) of this section ; or (References: 34 CFR 300.569; 92 NAC 51-009.01J2)
2. used for purpose or other than meeting a requirement under this part. (References: 34 CFR 300.569; 92 NAC 51-009.01J2)

When parents refuse consent for release of personally identifiable information, Chadron Public Schools utilizes the due process hearing procedures contained in 92 NAC 55. (References: 34 CFR 300.571<c>)

The district will not release information from education records to participating agencies without parental consent unless authorized to do so under the Family Rights and Privacy Act. (References: 34 CFR 300.571 & 300.571<c>)

The district will protect the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages. (References: 34 CFR 300.572<a>; 92 NAC 51-009.01L1)

1. One official at Chadron Public Schools will assume responsibility for insuring the confidentiality of any personally identifiable information. (References: 34 CFR 300.572; 92 NAC 51-009.01L2)
2. All persons collecting or using personally identifiable information will receive training or instruction regarding the State's policies and procedures under the Individuals with Disabilities Act and The Family Rights and Privacy Act. (References: 34 CFR 300.572<c>; 92 NAC 51-009.01L3)
3. The district will maintain, for public inspection, a current listing of the names and positions of those employees within the district who may have access to personally identifiable information. (References: 34 CFR 300.572<d>; 92 NAC 51-009.01L4)

The district will:

1. Inform parents when personally identifiable information collected, maintained, or used under this part is no longer needed to provide educational services to the child. (References: 34 CFR 300.573<a>; 92 NAC 51-009.01M2)
2. destroy, at the request of the parents, the information which no longer necessary to provide educational services to the student. However, a permanent record of a student's name, address, and phone number, his or her grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limitation. (References: 34 CFR 300.573; 92 NAC 51-009.01M3)

The parents of a child with a disability or the child with a disability if the child has attained eighteen years of age (type and severity of the child's disability taken into consideration) will be afforded an opportunity to inspect and review all educational records with respect to the identification, evaluation, and educational placement of the child and the provision of a free appropriate public education to the child. (References: 34 CFR 300.574; 92 NAC 51-009.01B)

DISTRICT OPERATIONS

Surrogate Parents

0436

The Chadron Public Schools insures that the rights of a child with a disability are protected by the appointment of a surrogate parent when:

1. no parent can be identified; (References: 34 CFR 300.541<a><1>; 92 NAC 51-009.06A & 009.06A1)
2. after reasonable efforts, cannot locate the parents; or (References: 34 CFR 300.514<a><2>; 92 NAC 51-009.06A2)
3. determines that the child is a ward of the State or court. (References: 34 CFR 300.514<a><3>; 92 NAC 51-009.06A3)

The district is not required to appoint a surrogate parent(s) of a ward of the State or court and continue to exercise their educational rights listed in 92 NAC 51-009.06C. (References: 34CFR 51-009.06A3a)

The district insures that a surrogate is a person who:

1. has no interest that conflicts with the interest of the child he or she represents; (References: 34 CFR 300.514<c><2><i>; 92 NAC 51-009.06B & 009.06B1)
2. has knowledge and skills that insure adequate representation of the child; (References: 34 CFR 300.514<c><2><ii>; 92 NAC 51-009.06B2)
3. is not an employee of a public agency which is involved in the education or care of the child. A person who otherwise qualifies to be a surrogate parent is not an employee of the agency solely because he or she is paid by the agency to serve as a surrogate parent. (References: 34 CFR 300.514<c><2><iii>; 92 NAC 51-009.06B3)

The district will terminate the services of the surrogate parent when:

1. the child no longer qualifies for a surrogate parent under 009.06A; (References: 92 NAC 51-009.06D & 009.06D1)
2. a conflict of interest develops between the interest of the child and the interest of the surrogate parent; (References: 92 NAC 51-009.06D2)
3. the surrogate parent fails to fulfill his or her duties as a surrogate parent. (References: 92 NAC 51-009.06D3)

DISTRICT OPERATION

Comprehensive System of Personnel Development

0437

The Chadron Public Schools will develop, implement, and annually review a comprehensive system of personnel development which shall include elements as established under 92 NAC 51-010.06. (References: 34 CFR 300.224; 92 NAC 51-010.06)

Adopted: 10-8-98
Amended:

Chadron Public Schools
Chadron, Nebraska

DISTRICT OPERATION

Transportation

0438

The Chadron Public Schools insures one of the following types of service to the children with disabilities who are residents of the school district:

1. any child with a disability who is forced to leave the school district temporarily because of lack of educational services; and (References: 92 NAC 51-014.01 & 014.01A)
2. any child with a disability who is enrolled in a special education program of the district when either the child is required to attend a facility other than what would be the normal school of attendance of the child to receive appropriate special education services, or (References: 92 NAC 51-014.01B & 014.01 & 014.01B1)
3. any child in which the nature of the child's disability is such that special transportation is required; (References: 92 NAC 51-014.01B2)

The district requires that the driver and vehicle meet the standards required by 92 NAC 51, 92, 93, 94 except when a parent is transporting only his or her children. (References: 92 NAC 51-014.01C)

The district provides transportation for all children with disabilities birth to age five including children birth to age five who are wards of the court. (References: 92 NAC 51-014.01D)