

## **Series 5000: Students, Curriculum, and Academic Matters**

### **5600 Student Support Services**

#### ***5601 Special Education***

Eligible students with disabilities under the Individuals with Disabilities Education Act (IDEA) are entitled to a free appropriate public education through an individualized education program. The District will follow state and federal law and applicable rules and regulations in identifying, locating, evaluating, and educating students with disabilities.

IDEA-eligible students are protected from discrimination under state and federal law, including Section 504 of the Rehabilitation Act, as outlined in Policy 5603.

Legal authority: 20 USC 1400 et seq.; 34 CFR Part 300; MCL 380.1701 et seq.; MARSE R 340.1701 et seq.

Date adopted: June 25, 2025

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#### **5602 *Independent Educational Evaluation***

- A. An independent educational evaluation (IEE) is an evaluation conducted by a qualified examiner(s) not employed by the District.

As permitted by state and federal law, a Parent may be entitled to an IEE at District expense if the Parent disagrees with an evaluation conducted by or for the District.

- B. The District will respond to an IEE request within 7 calendar days. The Superintendent or designee will establish criteria to obtain an IEE at District expense consistent with state and federal law. An IEE that fails to meet the criteria may not be eligible for payment by the District.
- C. A list of suggested sources from which an IEE may be obtained will be provided to the Parent upon receipt of an IEE request. The Parent is not restricted to choosing an independent evaluator from that list.

An IEE will be considered by the District at an IEP Team meeting for the student.

Legal authority: 20 USC 1415(b)(1); 34 CFR 300.502; MARSE R 340.1723c

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#### **5603 Section 504**

The District does not discriminate against any student with a disability, as that term is defined in Section 504 of the Rehabilitation Act (Section 504), in any District program or activity. Any claim of disability-based discrimination will be addressed pursuant to Policy 5202.

Eligible students are entitled to a free appropriate public education through a Section 504 plan. Students with disabilities who are also eligible for services under Policy 5601 will receive a free appropriate public education through an IEP.

The District will follow federal law and applicable regulations and guidance in identifying, locating, evaluating, and educating students with disabilities under Section 504. The Superintendent or designee will develop and implement procedures for identifying and serving eligible students under Section 504 that are consistent with federal law.

For purposes of this Policy, a free appropriate public education means the provision of regular or special education and related services that are designed to meet the individual educational needs of students with disabilities as adequately as the needs of students without disabilities are met, and that are provided without cost (except for District fees imposed on students without disabilities and their Parents).

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#### ***5604 Student Assistance Process***

The District may use general education student assistance teams to consider and create strategies to meet the needs of students who are struggling academically or behaviorally. District personnel who suspect that a student may have a disability under Section 504 of the Rehabilitation Act or the Individuals with Disabilities Education Act must immediately refer the student for an evaluation.

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