

P5403 DUE PROCESS AND PROCEDURES RELATED TO ACCESS TO AND DENIAL OF SPECIAL EDUCATION SERVICES

BOARD POLICY:

The authority to (1) exclude, reassign, or transfer a pupil from a regular school class on the grounds that the pupil is an exceptional pupil and cannot benefit materially therefrom, or (2) place a pupil in, transfer to or from, or deny placement in special education services, are subject to the exercise of due process rights, is delegated to appointed administrative personnel by the Board of Education in accordance with applicable state statutes.

The schools in Unified School District 259 are not required to keep an exceptional pupil in regular school programs or to provide such pupil with special education services when it is determined, in accordance with due process procedures, that the education of such pupil cannot be satisfactorily achieved thereby and that such pupil requires housing, maintenance, and special education provided at a state institution or private contract facility. The district, however, remains responsible for the education of each exceptional pupil as long as the lawful custodian resides within the USD 259 boundaries

Administrative Implemental Procedures:

1. The district will implement all Kansas rules and regulations as outlined in the *Kansas State Plan for Due Process Procedures* and the *Kansas Special Education Process Handbook*.

Administrative Responsibility: Student Support Services

Latest Revision Date: June 2011

Previous Revision Date: September 1997 P5403