

## **Instruction**

### **Education of Children with Disabilities**

The School District shall provide a free appropriate public education in the least restrictive environment and necessary related services to all children with disabilities enrolled in the District, as required by the Individuals With Disabilities Education Act (IDEA) and implementing provisions of The School Code, Section 504 of the Rehabilitation Act of 1973, and the Americans With Disabilities Act. The term "*children with disabilities*," as used in this policy, means children between ages 3 and 21 (inclusive) for whom it is determined, through definitions and procedures described in the Illinois State Board of Education's *Special Education* rules, that special education services are needed.

It is the intent of the District to ensure that students who are disabled within the definition of Section 504 of the Rehabilitation Act of 1973 are identified, evaluated and provided with appropriate educational services. Students may be disabled within the meaning of Section 504 of the Rehabilitation Act even though they do not require services pursuant to the IDEA.

For students eligible for services under IDEA, the District shall follow procedures for identification, evaluation, placement, and delivery of services to children with disabilities provided in the Illinois State Board of Education's *Special Education* rules. For those students who are not eligible for services under IDEA, but, because of disability as defined by Section 504 of the Rehabilitation Act of 1973, need or are believed to need special instruction or related services, the District shall establish and implement a system of procedural safeguards. The safeguards shall cover students' identification, evaluation, and educational placement. This system shall include notice, an opportunity for the student's parent(s)/guardian(s) to examine relevant records, an impartial hearing with opportunity for participation by the student's parent(s)/guardian(s), representation by counsel, and a review procedure.

The District may maintain membership in one or more cooperative associations of school districts that shall assist the District in fulfilling its obligations to the District's disabled students.

If necessary, students may also be placed in nonpublic special education programs or education facilities.

LEGAL REF.: 20 U.S.C. §1400 et seq., Individuals With Disabilities Education Improvement Act of 2004.  
29 U.S.C. §794, Rehabilitation Act of 1973, Section 504,  
42 U.S.C. §12101 et seq., Americans With Disabilities Act, 34  
C.F.R. §300.  
105 ILCS 5/14-1.01 et seq., 5/14-7.02, and 5/14-7.02b.  
23 Ill.Admin.Code § 226.

CROSS REF.: 2:150 (Committees), 7:230 (Misconduct By Students With Disabilities)

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REVISED: October 10, 2001  
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REVISED: December 12, 2018

## Instruction

### Education of Homeless Children

Each child of a homeless individual and each homeless youth has equal access to the same free, appropriate public education, as provided to other children and youths, including a public pre-school education. A *homeless child* is defined as provided in the McKinney-Vento Homeless Assistance Act and State law. The Superintendent shall act as or appoint a Liaison for Homeless Children to coordinate this policy's implementation.

A homeless child may attend the District school that the child attended when permanently housed or in which the child was last enrolled. A homeless child living in any District school's attendance area may attend that school.

The Superintendent or designee shall review and revise rules or procedures that may act as barriers to the enrollment of homeless children and youths. In reviewing and revising such procedures, consideration shall be given to issues concerning transportation, immunization, residency, birth certificates, school records and other documentation, and guardianship. Transportation shall be provided in accordance with the McKinney-Vento Homeless Assistance Act and State law. The Superintendent or designee shall give special attention to ensuring the enrollment and attendance of homeless children and youths who are not currently attending school. If a child is denied enrollment or transportation under this policy, the Liaison for Homeless Children shall immediately refer the child or his or her parent/guardian to the ombudsperson appointed by the Regional Superintendent and provide the child or his or her parent/guardian with a written explanation for the denial. Whenever a child and his or her parent/guardian who initially share the housing of another person due to loss of housing, economic hardship, or a similar hardship continue to share the housing, the Liaison for Homeless Children shall, after the passage of 18 months and annually thereafter, conduct a review as to whether such hardship continues to exist in accordance with State law.

LEGAL REF.: McKinney-Vento Homeless Assistance Act, 42 U.S.C. 11431 et.seq.

105ILCS 45/1-1 et.seq.

CROSS REF.: 2:260 (Uniform Grievance Procedures), 4:110 (Transportation), 7:10 (Equal Educational Opportunities), 7:30 (Student Assignments), 7:50 (School Admissions and Student Transfers to and from Non-District Schools), 7:60 (Residence), 7:100 (Health Examinations, Immunizations, and Exclusion of Students)

ADMIN. PROC.: 6:140-AP (Education of Homeless Children)

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