

5113B - OPEN ENROLLMENT FOR A STUDENT WITH A DISABILITY

When a child who is attending the District under the Open Enrollment Program is referred for evaluation, the evaluation must be performed by a Special Education Evaluation Team appointed by the District. The Special Education Evaluation Team is required to consult with appropriate personnel designated by the student's resident school district.

When a child who is attending the District under the Open Enrollment Program is subject to an annual I.E.P. review, the review must be performed by staff appointed by the District in collaboration with staff designated by the student's resident school district. It is the responsibility of the non-resident district to invite the resident district to annual I.E.P. - meeting will not be postponed due to absence of resident.

The District will provide an appropriate educational program to implement the I.E.P. of a child attending school under the full-time Open-Enrollment Program except:

- A. If the I.E.P. requires a special education program or services that are not available or in which no space is available, the District may notify the student's resident district that the program or services are not available in the District.

In these instances, the resident district is responsible for providing an appropriate educational placement for the student.

Procedural Safeguards

The non-resident district is primarily responsible for providing procedural safeguards to the child's parents. In addition:

- A. The nonresident district should fully inform the parents of any action it plans to take regarding the child and provide notice of all procedural safeguards available to the parents;
- B. The nonresident district must not change the placement of the child who is the subject of a hearing or court proceeding during the pendency of the hearing or court proceeding except where the parents' consent or the health and safety of the child or other person's is endangered by delaying the change.

Approved/Adopted: July 13, 2009
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Revised: December 14, 2015

