

POLICY 105-12

SPECIAL EDUCATION AND RELATED SERVICES

The Department shall be responsible for the provision of Free and Appropriate Education for all public school students, including students enrolled in public charter schools.

The Department shall provide special education and related services to eligible students and be responsible for developing rules, guidelines, and/or procedures to implement the goals set forth below:

1. Provide access to educational opportunities and a Free Appropriate Public Education ("FAPE") in the Least Restrictive Environment ("LRE") for each eligible student through the development of an Individualized Education Program ("IEP"), and ensure that all professionals and/or paraprofessionals providing services possess a level of proficiency to meet the unique needs of the student;
2. Provide extended school year services to students whose IEP Team determines, on an individual basis, that the services are necessary for the provision of FAPE;
3. Work collaboratively with other state government agencies and private agencies to address the special education and related service needs of eligible students;
4. Provide appropriate instructional resources, planning time, and support staff to meet the individual needs of students;
5. Provide staff development and teacher training. The Department shall also provide technical assistance statewide;
6. Ensure that all schools provide an inclusive and accommodating environment to meet the individual needs of students;
7. Provide programs and services in all schools for students with disabilities to learn alongside their peers without disabilities;
8. Ensure that all service(s) determined appropriate by the IEP team and the resources necessary to deliver those services meet the individualized needs of students.

Rationale: Students with disabilities are entitled to a Free Appropriate Public Education (FAPE), as described in Chapter 60, Hawaii Administrative Rules to implement the Individuals with Disabilities Education Act (20 U.S. Code §1400) and federal laws and regulations relating to the provision of a free and appropriate public education to a student with a disability.

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