

BOARD OF PUBLIC EDUCATION

CHAPTER 60

SPECIAL EDUCATION

Sub-Chapter 1

Board of Public Education Policy Statement

- Rule 10.60.101 Board of Public Education Policy Statement
- 10.60.102 Due Process in Services
- 10.60.103 Identification of Children with Disabilities
- 10.60.104 Annual Report of Special Education Programs
in Montana

NEXT PAGE IS 10-937

Sub-Chapter 1

Board of Public Education Policy Statement

10.60.101 BOARD OF PUBLIC EDUCATION POLICY STATEMENT

(1) It shall be the policy of the board of public education to foster the development and continuation of appropriate special education services for all identified children with disabilities with the opportunity to become confident, dignified and self-sufficient members of society to the greatest extent possible. (History: Sec. 20-2-121, MCA; IMP, Sec. 20-7-402, MCA; Eff. 8/10/77; AMD, 1978 MAR p. 998, Eff. 7/15/78; AMD, 1982 MAR p. 2176, Eff. 12/31/89; AMD, 1994 MAR p. 166, Eff. 1/28/94.)

10.60.102 DUE PROCESS IN SERVICES

(1) Special education services shall include the provision of due process to ensure the rights of children with disabilities. The goal of due process is to prevent harm to children, parents and society. Due process shall include protection regarding the following:

- (a) identification of disability;
- (b) development of education program;
- (c) placement with the education program; and
- (d) annual review of education program and placement.

(History: Sec. 20-2-121, MCA; IMP, Sec. 20-7-402, MCA; Eff. 8/10/77; AMD, 1978 MAR p. 998, Eff. 7/15/78; AMD, 1994 p. 166, Eff. 1/28/94.)

10.60.103 IDENTIFICATION OF CHILDREN WITH DISABILITIES

(1) In order that a free, appropriate, public education be provided to all children, all persons who can assist in identifying the disability and determine services to meet the

needs of a child shall participate in the placement process.

(2) Child study teams shall be used to identify children with disabilities, and instructional teams shall be used to plan individual education programs. Parents shall be involved in the child study team process and shall be included in the development of the individualized education plan.

(3) To assure correct identification of disabilities and proper educational placement, children shall have the opportunity for a comprehensive educational evaluation. (History: Sec. 20-2-121, MCA; IMP, Sec. 20-7-402, MCA; Eff. 8/10/77; AMD, 1978 MAR p. 998, Eff. 7/15/78; AMD, 1994 MAR p. 166, Eff. 1/28/94.)

10.60.104 ANNUAL REPORT OF SPECIAL EDUCATION PROGRAMS IN MONTANA (1) The superintendent of public instruction will report to the board of public education each December the number of special education programs in the state, number of students enrolled in the programs and the total budget costs anticipated for the programs for the current school year. (History: Sec. 20-2-121, MCA; IMP, Sec. 20-7-402, MCA; Eff. 8/10/77; AMD, 1978 MAR p. 998, Eff. 7/15/78.)