

Federal Assurance Policy

Special Education Local Plan

FAP 1

FREE AND APPROPRIATE PUBLIC EDUCATION (FAPE)

It shall be the policy of this LEA that a free and appropriate public education is available to all children residing in the LEA between the ages of three through 21 inclusive, including students with disabilities who have been suspended or expelled from school.

Legal References:

EDUCATION CODE

56205(a)

FEDERAL REFERENCES

20 USC Section 1412 (a)(1)

Federal Assurance Administrative Regulation

Special Education Local Plan

FAAR 1

FREE AND APPROPRIATE PUBLIC EDUCATION (FAPE)

In order to ensure that a free, appropriate public education is available to all children with disabilities in the SELPA, the LEAs of the SELPA, shall provide:

- for a combination of educational and related services determined through each child's individual education program (IEP) development and review;
- that the unique needs of the individual are met so that the individual benefits from access to educational opportunities; and
- that the individual is prepared for employment and independent living.

FAPE means special education and related services that are provided at public expense, under public supervision and direction, and without charge; that meet the standards of the State of California and of federal law; that include preschool, elementary school, and secondary school education; and are provided in conformity with the IEP.

FAPE shall be reasonably calculated to confer educational benefit to the student. It shall be the responsibility of each LEA to monitor such benefit for each child with a disability, through both individual review and SELPA wide monitoring reviews. Evidence may include passing grades, advancement from grade to grade or academic progress, provision of services designed for the student to benefit from instruction, and meaningful progress.

To determine whether an IEP is reasonably calculated to provide educational benefit, LEAs should ask:

1. Is the student's IEP individualized to meet the unique needs of the child?
2. Has the student been educated in the least restrictive environment (LRE)?
3. Have the student's educational services been provided in a collaborative and coordinated manner?
4. Has the student demonstrated positive academic and non-academic benefits?

Each LEA in the SELPA ensure that a student-focused and compliant process to develop IEPs for each child with a disability will be followed based on state and federal law and regulations. The SELPA shall support each LEA in its implementation through professional opportunities, technical assistance, support, and monitoring.

All special education and related services determined by the Individualized Education Program (IEP) team to be necessary for a student to benefit from education shall be listed on the IEP.