Non-Discrimination Against Students on the Basis of Disability

No qualified student with a disability shall, solely on the basis of disability, be subject to discrimination under any program or activity that receives or benefits from federal financial assistance. To ensure compliance with this regulation, the procedures outlined below shall be followed:

I. Efforts are made to locate and identify persons with disabilities through an extensive publicity campaign in conjunction with Child Find.

II. Parents or guardians of students with disabilities are notified of their rights.

III. Each qualified student with a disability receives a free appropriate public education.

IV. The student with a disability shall be enabled to be educated and participate in general education activities with other students with disabilities and students without disabilities to the extent appropriate as determined by the Individualized Education Program team.

V. The student’s educational needs will be documented through appropriate evaluations, prior to providing actual services.

VI. Periodic reevaluations are made when Prince William County Public Schools (PWCS) determines that the educational or related service needs of the student warrant a reevaluation; if parents or teachers of the student request a reevaluation; or at least once every three years unless the parents and PWCS agree that a reevaluation is not necessary.

VII. Procedural safeguards available to the parent(s) of a student with a disability shall be given to the parent(s) of the student one time a school year and in the following circumstances as they relate to the student:

A. PWCS makes an initial evaluation referral, or when the parent requests an evaluation;

B. An additional copy is requested by the parent;

C. PWCS receives the first state complaint in a school year;

D. PWCS receives the first request for a due process hearing; and
E. The day the decision is made to remove a student for discipline due to a “Code of Behavior” violation, if the removal constitutes a change in placement.

The following shall fully explain the safeguards regarding:

A. Independent educational evaluation;

B. Provision of prior written notice;

C. Parental consent;

D. Educational records access;

E. Opportunities, requirements, and procedures, and to present and resolve complaints through due process hearing procedures, state complaints, and mediation availability;

F. Placement during due process;

G. Interim alternative educational settings procedures;

H. Unilateral parental placements in private schools at public expense;

I. Civil actions; and

J. Attorney’s fees.

The Associate Superintendent for Student Learning and Accountability (or designee) is responsible for implementing and monitoring this regulation.

This regulation and related policy shall be reviewed at least every five years and revised as needed.