

FREE APPROPRIATE PUBLIC EDUCATION (FAPE)

20 USC Section 1412, CFR 300.24, 300.300 (a) (3), 300.340-300.351 of Part B Regulations

56205 (a), 5 CCR Chapter 3, Article 1, Section 3001 (b)

POLICY

It shall be the policy of the Sacramento County SELPA that a free appropriate public education is available to all children residing in each LEA between the ages of birth and 21 inclusive, including children with disabilities who have been suspended or expelled from school. Appropriate education is that combination of educational and related service(s) as determined on an Individualized Education Program (IEP) that meets the unique needs of each individual in order to benefit from his/her access to educational opportunities.

PROCEDURES

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 that combination of educational and related services determined through each child's Individualized Education Program (IEP) development and review, that meets the unique needs of the individual in such a way as to benefit from access to educational opportunities and to prepare them for employment and independent living.

FAPE is defined as special education and related services provided at public expense, under public supervision and direction; that meet the standards of the State of California and of federal law. This includes 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 agency-wide process reviews. Evidence may include passing grades, advancement from grade to grade/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 meaningful 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 LRE?
3. Have the student's educational services been provided in a collaborative and coordinated manner?
4. Had the student demonstrated positive academic and non-academic benefits?

Each LEA in the SELPA shall 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 regulations. The SELPA shall support each LEA in its implementation through professional development opportunities, technical assistance, support and monitoring.