

Special Populations

FEDERAL AND STATE REQUIREMENTS FOR SPECIAL POPULATIONS

A secondary career and technical education program shall be designed to accommodate students with special learning needs. This includes students experiencing various barriers to learning, students with disabilities, and students, i.e., the disadvantaged, the disabled and individuals with limited English proficiency.

Under 34 C.F.R. §300.149, the Kentucky Department of Education (KDE) is responsible for the general supervision of each public Kentucky educational program for students with disabilities, including career and technical education programs. The Office of Career and Technical Education and Student Transition must meet the mandates of federal and state regulations as it relates to general education and special education of students with disabilities. This includes the responsibility of the area technology centers (ATC) to accommodate and seek ways to serve students with disabilities; individuals with special needs. The Booklet entitled, “Guidelines for Vocational Education Programs: 1991-1996” provides for explanation, direction, and processes for serving special populations.

<http://www.ed.gov/about/offices/list/ocr/docs/vocre.html>

STUDENTS WITH DISABILITIES

When serving students with disabilities in career and technical education programs, the Principal:

- Shall not deny a student with a disability participation in a program simply because the student has a disability;
- Must implement Individual Education Programs (IEP) and 504 Plans;
- Shall not develop or implement unnecessary eligibility standards, grading policies or rules that deny equal opportunity for students with disabilities to participate;
- Must give special consideration as required by law and directed by local board of education policy when considering suspension of students who are covered under IDEA or Section 504;
- Shall communicate with special education administration for each student’s sending school district when staff observe educational concerns involving the student;
- Must ensure a free, appropriate public education (FAPE) is being provided; and;
- An ARC meeting or 504 meeting must be convened prior to the removal of any student with a disability from a CTE program due to lack of not meeting grading requirements for participation.

In addition to the above reference, area technology centers:

- May not refuse a person with a disability simply because the person has a disability;
- Must provide reasonable accommodations in an integrated setting;
- Must eliminate unnecessary eligibility standards or rules that deny equal opportunity;
- Are required to make reasonable accommodations in instruction;
- Are required to have published materials available in different formats;

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The following federal laws are relevant and apply to the education of student with disabilities in public school programs:

Individuals with a disability are those with a physical or mental impairment that substantially limits one or more major life activities, has a record of such impairment, or is regarded as having such impairment. These individuals are protected by federal law:

- Section 504 of Rehabilitation Act of 1973
- Americans with Disabilities Act
- Individuals with Disabilities Education Improvement Act of 2004

Students who have an IEP or reasonable accommodations and services under Section 504 may need modified instruction and/or testing in order to effectively demonstrate their knowledge of the curriculum.

If a student has an IEP or 504 Plan, ATC personnel are highly encouraged to work directly with the Admissions and Release Committee (ARC) or designated resource teacher to ensure a FAPE is provided and all required accommodations are met. Area technology center teachers are members of the ARC for students who are enrolled in their program with an IEP. Teachers are highly encouraged to participate in ARC meetings involving their students.

In addition to the requirements outlined above, the administration at each ATC is required to ensure that all relevant ATC staff have access to student Individual Education Programs (IEPs). Similarly, administration at each ATC must fully inform relevant ATC staff when a student receives reasonable accommodations and services under Section 504.

EDUCATIONAL RECORDS

The records of students are to be kept confidential. Documentation is critical. This could include keeping documentation on phone calls to the high school or parent/guardian, any modifications made to instruction, and any type of accommodations that are made.

The Office of Career and Technical Education shall consult with the Office of Special Education and Early Learning prior to any revision or amendment to this policy.

REFERENCES:

[705 KAR 004:231](#)

Individuals with Disabilities Education Improvement Act of 2004

<http://www.ed.gov/policy/speced/guid/idea/idea2004.html>

[KRS 157.200](#)

707 KAR Chapter 1

Section 504 of Rehabilitation Act of 1973, Americans with Disabilities Act

RELATED POLICY:

09.14

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