

## Section 1

### Placement Decisions

To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are not disabled. All services and educational placements must be individually determined in the light of each child's unique abilities and needs, to reasonably promote educational success.

The HCSD shall ensure that special classes, separate schooling or other removal of children with disabilities from the regular education environment occurs only if education in the regular education environment with the use of supplementary aids and services cannot be satisfactorily achieved due to the nature or severity of the disability.

The HCSD makes available a continuum of alternative placements to meet the specially designed instruction and related services needs of children with disabilities. The continuum of placement alternatives:

1. includes, but is not limited to, instruction in regular classes, special classes, special schools, home instruction, and instruction in hospitals and institutions;
2. makes provision for supplementary services (such as resource or itinerant instruction) to be provided in conjunction with regular class placement; and
3. is available to the extent necessary to implement the IEP for each child with a disability.

(NOTE: "Makes available" does not mean that each alternative placement is located within the geographic boundaries of the HCSD.)

The **continuum of placement alternatives** available includes instruction conducted in:

1. Types of classes:
  - a. regular education;
  - b. special education;
  - c. vocational education;
2. Types of schools and facilities:
  - a. regular school;
  - b. special day school;
  - c. residential school;
  - d. hospital; and
- e. home.

In determining the educational placement of a child with a disability, the HCSD shall ensure that the **placement** decision is made by the ARC in conformity with the least restrictive environment provisions.

A child's placement shall be:

1. determined at least annually;
2. based on the child's IEP; and
3. as close as possible to the school the child would attend if not disabled.

Unless the IEP of a child with a disability requires some other arrangement, the child shall be educated in the school that he would attend if nondisabled. If the ARC selects the location where the child would be if not disabled as the appropriate placement, then the child participates in the same variety of educational programs and services that is available to the children without disabilities at that location. The ARC specifies any modifications or adaptations that are necessary for the participation of the child in the educational programs or services in the IEP.

In selecting the least restrictive environment, consideration shall be given to any potential harmful effects on the child or on the quality of services that he needs. A child with a disability shall not be removed from education in age-appropriate regular classrooms solely because of needed modifications in the general curriculum.

The HCSD Representative obtains parental consent for initial services at the initial placement meeting. If the parent does not attend the ARC meeting, the HCSD Representative provides notice of proposed or refused action to the parent with a request for consent for initial services, if appropriate.

Change of placement/services decisions are subject to established ARC procedures based on placement in the least restrictive environment. An ARC makes changes of service decisions consistent with these procedures. Change in services includes:

1. Initiation of or changes in specially designed instruction and related services;
2. Changes in specially designed instructional setting (e.g., regular class to resource class; resource to special class, shortened school day);
3. Return to full-time regular education services due to concluding specially designed instruction and related services;
4. Disciplinary removals as defined in Procedural Safeguards;
5. Graduation;
6. Certificate of completion prior to aging out; and
7. Aging out.

### **Shortened School Day**

The ARC determines any variation of the length of the school day for a student with a disability by reviewing the IEP and making recommendations based on that review. The HCSD Representative must inform the DoSE if an ARC determines that a child has a disability whose condition warrants less than a full day attendance. The DoSE must submit the "Notice of Shortened School Day" form to the HCSD Board for approval. The DoSE will notify the DECS of this local board decision.

## **Section 2**

### **Class Size**

The HCSD shall provide special education according to caseload for special classes for each child with a disability as follows:

1. emotional-behavior disability is eight (8);
2. functional mental disability is ten (10);
3. hearing impairment is six (6);

4. mild mental disability for primary is fifteen (15) and for secondary is fifteen (15);
5. multiple disabilities is ten (10);
6. orthopedic impairment is sixteen (16);
7. other health impairment is sixteen (16);
8. specific learning disability for primary is ten (10) and for secondary is fifteen (15); and
9. visual impairment is ten (10).

The HCSD shall provide special education according to class size (per period, block or specified length of time set by the individual schools) for resource classes for each child with a disability as follows:

1. emotional-behavior disability is eight (8);
2. functional mental disability is eight (8);
3. hearing impairment is eight (8);
4. mild mental disability is ten (10);
5. multiple disabilities is eight (8);
6. orthopedic impairment is ten (10);
7. other health impairment is ten (10);
8. specific learning disability is ten (10); and
9. visual impairment is eight (8).

Children with disabilities that meet the definition of autism; deaf-blindness; developmental delay for ages six (6), seven (7), and eight (8); and traumatic brain injury shall be served in regular classes, special classes, or resource classes as determined by the ARC.

If a teacher of exceptional children provides services through the collaborative model, the maximum caseload shall not exceed twenty (20) children with disabilities for secondary, and fifteen (15) children with disabilities for primary.

Pursuant to KRS 157.360, if caseload for special classes or class size for resource classes exceeds the maximum specified in this section for thirty (30) days, the HCSD shall submit a waiver request to the Kentucky Department of Education.

### **SECTION 3. CASE LOAD FOR RESOURCE TEACHERS**

Case load for resource teachers refers to maximum number of student records for whom a teacher can be assigned. The HCSD shall make those assignments based on the following:

1. emotional-behavioral disability is fifteen (15);
2. functional mental disability is ten (10);
3. hearing impairment is eight (8);
4. mild mental disability for primary is fifteen (15) and for secondary is twenty (20);
5. multiple disabilities is ten (10);
6. orthopedic impairment is twenty (20);
7. other health impairment is twenty (20);
8. specific learning disability for primary is fifteen (15) and for secondary is twenty (20); and,
9. visual impairment is ten (10).