

VISION HANDICAPS: SPECIAL EDUCATION: Title 20A, Excerpts

§7001. Definitions

2. Exceptional student. "Exceptional student" is an individual who:

A. Has reached 5 years of age on or before October 15th;

B. Has not reached 20 years of age at the start of the school year; and

C. Requires special education because of an impairment in one or more of the following:

1. Vision impairments, including blindness;

5. Special education. "Special education" means classroom, home, hospital, institutional or other instructional educational diagnosis and evaluation; transportation and other supportive assistance, services, activities of programs, as defined by the commissioner, required by exceptional students.

§7201. Policy and purpose

1. Equal educational opportunities. All students shall be provided with equal educational opportunities and all school administrative units shall provide equal educational opportunities for all exceptional students.

2. Least restrictive education alternative. An exceptional student shall be educated with students in regular programs to the maximum extent possible.

A. Educational opportunities for an exceptional student shall be provided by means of the addition of appropriate supportive assistance to regular educational programs.

B. Removal of an exceptional student from the regular educational environment shall occur only if the nature or severity of the exceptionality is such that the student's education cannot be satisfactorily accomplished in:

1) Regular classes with the use of supplemental aids and services; or

2) Self-contained classes within the regular school programs.

C. An exceptional student may be placed in residential school or institution, or in a private day school or program, only after supporting evaluative data justifying the placement have been submitted to and approved by the commissioner.

3. Deaf exceptional students. An exceptional student, diagnosed as deaf, shall be educated with regular students whenever possible and shall be educated under the principle of the least restrictive educational alternative as set forth in state laws and rules and federal laws and regulations.