

SPECIAL EDUCATION

The Board of Education is committed to providing a free, appropriate public education to children with exceptionalities identified in accordance with applicable State and Federal laws, rules, and regulations. The term "exceptionalities" in this policy refers to eligible students with disabilities (including those students who have been suspended or expelled from school), all gifted students in grades 1 through 8, and eligible students who are gifted. This policy applies to preschool, early childhood, middle childhood, adolescent, and adult students whose educational programs require special education and related services. These apply to three (3) year olds, as of the student's third birth date, through five (5) year olds with disabilities, students with disabilities ages five (5) through twenty-one (21), all exceptional gifted students in grades 9 through 12 and to all gifted students in grades one (1) through eight (8) as specified. Rights under these regulations cease to apply at the end of the school year in which: a) the student turns twenty-one (21) years of age, that is, the year in which the student is twenty-one (21) years of age prior to July 1st; or b) the student has met graduation requirements for a regular high school diploma.

In order to satisfy the requirements of West Virginia Board of Education Policy 2419, Regulations for the Education of Students with Exceptionalities, the Board adopts West Virginia Board of Education Policy 2419 and the West Virginia Procedures Manual for the Education of Students with Exceptionalities (<http://wvde.state.wv.us/policies/>) and is incorporated by reference into this policy. This policy and procedures manual applies to students enrolled in public schools, including charter public schools, and private schools where students are placed at the expense of the State of West Virginia. The Board affirms its obligation to follow the Individuals with Disabilities Education Improvement Act of 2004 ("IDEIA") and the regulations implementing the IDEIA.

Copies of WV Board Policy 2419 are available at the office of the Board of Education.

SOURCE: Board of Education Minutes

DATE: February 22, 1988 – April 1, 2002 – November 3, 2014 – December 4, 2023

Legal: West Virginia Board of Education Policy 2419, WV Code 18-20-1, et seq., IDEIA, 20 U.S.C. 1400 et seq., 34 C.F.R. Part 300