

281—41.404(256B) Policies and procedures required of all public agencies.

41.404(1) *Policies.* Policies related to the provision of special education and related services shall be developed by each public agency and made available to the department upon request to include the following:

- a.* Policy to ensure the provision of a free appropriate public education.
- b.* Policy for the provision of special education and related services.
- c.* Policies to ensure the provision of special education and related services in the least restrictive environment.
- d.* Policy concerning the protection of confidentiality of personally identifiable information.
- e.* Policy concerning graduation requirements for eligible individuals.
- f.* and *g.* Rescinded IAB 10/11/17, effective 11/15/17.
- h.* Policy to ensure the participation of eligible individuals in districtwide assessment programs.

41.404(2) *Procedures.* Each public agency shall develop written procedures concerning the provision of special education and related services and shall make such procedures available to the department upon request and shall, at a minimum, include:

- a.* Procedures to ensure the provision of special education and related services.
- b.* Procedures for protecting the confidentiality of personally identifiable information.
- c.* Procedures for the graduation of eligible individuals.
- d.* and *e.* Rescinded IAB 10/11/17, effective 11/15/17.
- f.* Procedures for providing continuing education opportunities.
- g.* A procedure for its continued participation in the development of the eligible individual's IEP in out-of-state placements and shall outline a program to prepare for the eligible individual's transition back to the LEA before the eligible individual is placed out of state.
- h.* Procedures for ensuring procedural safeguards for children with disabilities and their parents.
- i.* Procedures to ensure the participation of eligible individuals in districtwide assessment programs.

41.404(3) *Medication administration.* Rescinded IAB 10/11/17, effective 11/15/17.

41.404(4) *Rule of construction.* Any public agency is required to adopt any policy and procedure necessary to comply with Part B of the Act and this chapter, even if such a policy or procedure is not listed in this rule.

[ARC 3387C, IAB 10/11/17, effective 11/15/17]