

MISSISSIPPI DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION
DIVISION OF PROGRAM MANAGEMENT

ASSURANCES
EDUCABLE CHILD PROGRAM

NAME OF PRIVATE SCHOOL, PAROCHIAL SCHOOL OR FACILITY

Appropriate Education: The school or facility provides appropriate educational programming for students with disabilities.

Confidentiality: The school or facility will protect the confidentiality of all data in its records relative to students with disabilities.

Protection in Evaluation: Evaluation materials and placement procedures used by the school or facility will be, to the maximum extent possible, selected and administered so as not to be racially or culturally discriminatory such that no student is misclassified, misplaced, or unnecessarily labeled as having a disability because of inappropriate selection, administration, or interpretation of the materials or procedures. Appropriate instructional interventions are implemented as required in State regulations.

Least Restrictive Environment: The school or facility will, to the extent appropriate, educate students with disabilities with students having no disabilities in their age range. The removal of students with disabilities from the regular educational environment occurs only when the nature or severity of the disability is such that education in regular classes with supplementary aids and services cannot be achieved satisfactorily. A continuum of alternative placements, based on the individual students' needs, is provided to students with disabilities in the school. Placement of students is determined on at least an annual basis. In selecting the least restrictive environment for each student, consideration is given to any potentially harmful effect on the student or the quality of services needed. If a student with a disability can function socially, emotionally and mentally with students without disabilities of a similar chronological age, he/she will be given that opportunity.

Individualized Education Program (IEP): The school or facility will ensure that all IEPs for those students who are placed by school districts and the Department of Human Services meet the requirements of Section 636(d) of IDEA, and are developed, reviewed and revised in accordance with Section 300.320 through 300.324 of State Policies Regarding Children with Disabilities under IDEA Amendments of 2004.

Educable Child Form for Parentally-Placed Students: The school or facility will also complete the Educable Child Form for Parentally-Placed Students documenting the placement options considered.

Procedural Safeguards (Due Process): The school or facility ensures that students with disabilities and their parents are guaranteed due process with respect to the provision of an appropriate education.

Adopted by the governing body of _____ on _____.
(Name of Facility) (Date)

(Signature of Director or Principal)

(Signature of Authorized School Board Representative)

APPROVAL PROCEDURE

RACIALLY NONDISCRIMINATORY ADMISSIONS POLICY FOR PRIVATE SCHOOLS WISHING TO PARTICIPATE IN THE EDUCABLE CHILD PROGRAM

In light of the requirements of the United States District Court for the Northern District of Mississippi, the Mississippi Department of Education has set forth the regulations detailed below to be used to determine whether a school has a racially nondiscriminatory admissions policy.

I. AUTOMATIC APPROVAL

If a school receives State textbook assistance, the school will be automatically approved as having a racially nondiscriminatory admissions policy.

II. APPROVABLE

A. If the school shows either 1 or 2 below, this will be sufficient proof to indicate that the school adheres to a racially nondiscriminatory admissions policy.

1. Black students or teachers.
2. The school was established at a time sufficiently prior to desegregation of public schools within their locale without significant increase of students and/or grades during the desegregation period.

B. If the school shows both 1 and 2 below, this will be sufficient proof that the school adheres to a racially nondiscriminatory admissions policy.

1. Active recruitment programs including:
 - a) Student grants-in-aid (if applicable);
 - b) Proof of continued, meaningful public advertisements stressing the school's open admission policy;
 - c) Proof of written communication to black groups and/or black leaders detailing the open admissions policy;
 - d) And similar evidence calculated to convince one that the doors of the private school are open to students of both the black and white races upon the same standards of admission.

2. Exempt from Federal income taxes.

III. NON-APPROVABLE

All other schools will be deemed ineligible for participation in the educable children's assistance program.