

## **SPECIAL EDUCATION PROGRAMS FOR STUDENTS WITH EDUCATIONAL DISABILITIES**

In keeping with the intention of the state of Colorado to offer educational opportunities to all students which will enable them to lead fulfilling and productive lives, the District shall provide appropriate educational opportunities to all resident students in accordance with the requirements of state and federal law.

All children and youth with educational disabilities between the ages of three and 21 who have not received a high school diploma have the right to a free appropriate public education (FAPE). A GED is not considered a regular high school diploma. Therefore, students with educational disabilities who are working toward a GED or who have passed one or more of the GED tests are still entitled to FAPE. If a student in this situation is enrolled and participating in the approved school program of an eligible facility, is receiving special education services according to his/her IEP and is accumulating high school credits, then, provided the requirements of notification have been met, the District is obligated to pay excess costs to the approved facility and a contract should be executed establishing the costs and payments.

All children and youth with educational disabilities between the ages of three and 21 shall be provided individualized educational programs appropriate to meet their educational, instructional, transitional and related services needs. A child shall become eligible for services on his third birthday. A youth reaching age 21 after the beginning of an academic year shall have the right to complete that semester or attend until he graduates, whichever comes first.

The District also shall take steps to make the general public aware that all children and youth from birth through age 21 suspected of having an educational disability have a right to a formal determination as to whether they have an educational disability.

Adopted January 9, 1980  
Revised May, 1995  
Revised November 2010  
Revised April 24, 2013

LEGAL REFS.: 20 U.S.C. §1400 *et seq.* (Individuals with Disabilities Education Act)  
29 U.S.C. §701 *et seq.* (Section 504 of the Rehabilitation Act of 1973)  
C.R.S. 22-20-101 through 22-20-118 (Exceptional Children's Education Act)  
1 CCR 301-8  
34 C.F.R. § 300.102 (a)(3)(i) and 300.102 (a)(3)(iv)

CROSS REFS.: EEAB, Special Needs Student Transportation  
IHBIB, Primary/Preprimary Education  
JKD/JKE-2, Disciplining Student with Disabilities

CONTRACT REFS.: CSEA Master Agreement

*Note: For more detailed information, see "Student Support Services Special Education Comprehensive Plan, Policies and Procedures Manual," on file in the central administrative offices*