

General Assurances for the Receipt of Public Education Funds and Maintenance of Approved School Status

The following assurances apply to education programs of Eligible Facilities that are approved by the Colorado Board of Education. Full requirements are contained in the policies and procedures required for approval and the Facility School Rules.

The agency hereby assures that:

- It will implement the educational policies and procedures developed for the program approval as written.
- It will submit any needed revisions to those policies and procedures to the Colorado Department of Education, Office of Facility Schools for approval.
- It will comply with applicable requirements of both federal (Individuals with Disabilities Education Act) and state (Exceptional Children's Education Act) special education regulations in the implementation of the special education process and the provision of special education services and will comply with the applicable requirements of the Rules for the Administration of the Schools Finance Act and the Rules for the Implementation of the Facility Schools Act regarding criteria for approval and maintenance of approved status.
- Students with disabilities who are placed into the facility by a public agency have the right to a Free Appropriate Public Education (FAPE). General education students are also entitled to comparable services if placed by a public agency.
- Students have a right to education and are not denied educational services. If the student's behavior at a specific time is dangerous to themselves or others or unsafe or inappropriate in the school setting they may be removed for a time, but once they have calmed/regained control, they are allowed to rejoin their classes. A child is not restricted to his/her room or denied access to educational services as a consequence for behavior unrelated to the school setting. A child is not restricted to his/her room for a set length of time as a consequence for behavior. Decisions are made on an individual basis.
- Special education students have a right to the special education and related services identified on their IEP whether or not the facility charges excess costs or has a rate set. The IEP is requested immediately upon placement. If the facility does not employ the type of instructional or related service provider specified, the home district is contacted and arrangements made for appropriate services.
- Educational services are provided in the Least Restrictive Environment (LRE) appropriate for the student. The educational placement decision is made by the student's IEP team and is separate from decisions regarding residential placement. Any student placed in a residential facility that can appropriately be served by the public school, has the right to attend the public school.
- Students have a right to comparable services. Comparable is defined both by staff qualifications and by amount of time.
- Comparable services as relates to staff qualifications means that educational staff employed by the facility hold CDE licensure with appropriate endorsement for the assignment. Requirements for both special education and general education apply.

- Comparable services as relates to amount of time means that the facility school provides at least a full school day/full school year. In a traditional calendar this is 6 hours per day for 180 days over a 9 month time frame – generally beginning in late August and ending in late May/early June. Individual students may participate less than a full day only if the need for a shortened day is documented in their IEP. If a program provides less service than this, it is justified by the severity of the needs of the students and approved by CDE. Transportation issues, staff convenience, therapy schedules, etc. are not appropriate justification for a shortened day.
- Students included in PPR and excess costs billings are only those students receiving educational services in a program which is appropriately licensed by the Department of Human Services (or licensed by the Department of Public Health and Environment as a hospital) and approved by the Department of Education.
- If the facility adds an additional license, the new program must also be approved before the students placed in the program are included in the PPR billing. If the program moves, CDE is contacted to apply for school approval at the new location. Only students placed into the licensed and approved program by a public agency are included in the billing, with 2 exceptions - Hospitals bill for students who are patients of the hospital; RCCFs can bill for a privately placed student if the home district agrees that it is the most appropriate placement and agrees to pay excess cost.
- The school day is religion free. If the facility supports any sort of religious activities, they are conducted outside school hours.

Compliance with the above-stated assurances constitutes a condition of approval and receipt of state education funds and is binding upon the agency for the duration of the approval. In the event of failure to comply with these assurances, it is understood that funds can be terminated and the right to receive further assistance can be denied.

Legal Name of Facility

Special Education Director (signature)

Date

Educational Coordinator (signature)

Date

Program Administrator (signature)

Date