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

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

The agency hereby assures that:

* The agency fully complies with applicable regulatory requirements. The facility is cooperative with on-site audits and other monitoring requirements including:
  + Maintenance of a Quality Standards notebook or electronic portfolio
  + Display of appropriate licenses
  + Timely submission of PPR billing, Tuition Cost Application (if applicable) and the Facility School Report in December.
  + Notification to CDE of major program changes, change in location and/or loss of special education director
  + Clear educational mission statement and/or philosophy to address the types of students with whom the school works.
* 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 (Individualizes with Disabilities Education Act) and state (Exceptional Children’s Education Act) special education regulations in the implantation of the special education process and the provision of special education services and will comply with applicable requirement of the Rules for the Administration of the School Finance Act and the Rules for the Implementation of the Facility Schools 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, 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 service identified on their IEP, whether or not the facility charges tuition 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 provided specified, the home district is contacted and arrangements are 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 it related to staff qualifications means that education staff employed by the facility holds CDE licensure with appropriate endorsement for the assignment. Requirements for both special education and general education apply. Comparable services as it related to amount of time means that the facility school provides at least a full day/full school year. In a traditional calendar this is 6 hours per day for 176 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 tuition cost 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 moved, The Office of Facility Schools 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 two exceptions-Hospitals bill for students who are patients of the hospital; Residential programs can bill for a privately placed student if the home district agrees that it is the most appropriate placement and agrees to pay the tuition costs.
* The school day is religion free. If the facility supports any sort of religious activities, they are conducted outside of 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 understand that funds can be terminated and the right to receive further assistance can be denied.

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Name of Facility

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Director of Special Education Date

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Education Coordinator Date

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Program Administrator Date