



Provision of a Free and Appropriate Public Education for all Students with Disabilities

SPECIAL EDUCATION SERVICE: Corrales International School (C.I.S.) uses the Student Assistance Team Response to Intervention process to screen and identify students in need of special education services pursuant to Section 504 of the Rehabilitation Act of 1973, Title II of the American with Disabilities Act of 1990 (ADA), and the Individuals with Disabilities Education Act 2004 (IDEA). An Individualized Education Plans (IEP) will be developed for those students who are identified as eligible for special education services. C.I.S. will comply with the LEP process established by state and federal law to ensure that all students are properly identified, assessed and services delivered . Students previously identified as qualifying for special education services will receive the special education services outlined in their current IEP which will be reviewed annually, or the student will be reevaluated as determined by the student's current LEP. This process will assure:

- Equal access to all students

[individualized]

- Education Plans
- Free Appropriate Public Education (FAPE)
- Least Restricted Environment (LRE)
- Due process and parental involvement
- Nondiscriminatory evaluation

Special Education services at CLS are provided for students with disabilities through full inclusion in the general education classroom and a special education teacher provides support. Support services identified by the LEP process are provided either by on-site staff or ancillary contracted personnel.



References:

A charter school shall comply with all applicable state and federal laws and rules related to providing special education services. Charter school students with disabilities and their parents retain aU rights under the federal Individuals with Disabilities Education Act and its implementing state and federal rules. Each charter school is responsible for identifying, evaluating and offering a free appropriate public education to all eligible children who are accepted for enrollment in that charter school. The state-chartered charter school, as a local educational agency, shall assume responsibility for determining student needs for special education and related services. The ddivision may promulgate rules to implement the requirements of this subsection.

Authority: 34 CFR §300.1 Purpose: To ensure that all children with disabilities have available to them a free appropriate public education that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment, and independent living.

Authority: NMAC §6.31.2 .6 [6.31.2.6 NMAC - Rp, 6.31.2.6 NMAC, 6/29/07]

Authority: NMAC §6.31.2.8 RJGHT TO A FREE APPROPRIATE PUBLIC EDUCATION (FAPE) A. All children with disabilities aged 3 through 21 or who will tum 3 at any time during the school year and who reside in New Mexico, including children with disabilities who have been suspended or expelled from school, have the right to a free appropriate public education that is made available by one or more public agencies in compliance with all applicable requirements of 34 CFR §§300. 10 I and 300.120 and these or other department rules and standards. Children with disabilities who are enrolled in private schools have the rights provided by 34 CFR §§300.129-300.148 and Subsection L of 6.31.2.11 NMAC

Authority: NMAC §6.31.2.9 PUBLIC AGENCY RESPONSIBILIT IES): A " free appropriate public education" (FAPE) means special education and related services which meet all requirements of 34 CFR §300.17 and which, pursuant to §300.17(b), meet all applicable department rules and standards, including but not limited to these rules (6.31.2 NMAC), the Standards for Excellence (6.29.1 NMAC) and department rules governing school personnel preparation, licensure and performance (6.60 NMAC through 6.64 NMAC), student rights and responsibilities (6.11.2 NMAC) and student transportation (6.41.3 and 6.41.4 NMAC).

Assuming appropriate evaluation s, a child may properly be determined to be both gifted and a child with a disability and be entitled to a free appropriate public education for both reasons. The rules in this section 6.3 1.2.12 NMAC apply only to gifted children.