

## Special Education Programs for Students with Disabilities

The BOCES shall provide appropriate educational opportunities to students with disabilities in accordance with the requirements of state and federal law.

Any student identified as a child with disabilities pursuant to the Individuals with Disabilities Education Improvement Act of 2004 (the IDEIA) who is between the ages of three and 21 and who has not been awarded a regular high school diploma and graduated from high school has the right to a free appropriate public education. These eligible students with disabilities shall be provided individualized programs appropriate to meet their educational needs, as determined by the students' Individualized Education Program (IEP) or Individual Family Service Plan (IFSP) teams.

A student identified as a child with disabilities under the IDEIA shall become eligible for special education and related services on his or her third birthday. A student reaching age 21 after the beginning of an academic year shall have the right to complete the semester in which his or her 21<sup>st</sup> birthday occurs or attend until he or she graduates, whichever comes first. In such a case, the child is not entitled to extended school year services during the summer following such current academic year.

Students with disabilities are required by federal law to be included in state assessments, with appropriate accommodations where necessary. Any IEP developed for a student with disabilities shall specify whether the student shall achieve the BOCES's or applicable district's academic standards or whether the student shall achieve individualized standards which would indicate the student has met the requirements of his or her IEP.

(Adopted April 25, 2016)

LEGAL REFS.: 20 U.S.C. §1401 *et seq.* (*Individuals with Disabilities Education Improvement Act of 2004*)  
29 U.S.C. §701 *et seq.* (*Section 504 of the Rehabilitation Act of 1973*)  
C.R.S. 22-7-407 (6) (*IEP shall specify whether student shall achieve BOCES's or applicable district's standards or individualized standards*)  
C.R.S. 22-7-409 (1.2)(d)(II) (*assignment of scores on statewide assessments for students with disabilities*)  
C.R.S. 22-20-101 *et seq.* (*Exceptional Children's Educational Act*)  
1 CCR 301-8, Rules 2220-R-1.00 *et seq.* (*Rules for the Administration of the Exceptional Children's Educational Act*)

CROSS REFS.: AEA, Standards Based Education  
IHBIB, Primary/Preprimary Education  
JK\*-2, Discipline of Students with Disabilities

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