

***Free Appropriate Public Education (FAPE)***

It is the policy of Chaparral Star Academy Open-Enrollment Charter School to ensure that all children with disabilities within its jurisdiction, regardless of the severity of their disabilities, and who are in need of special education and related services, are identified, located, and evaluated and a practical method is developed and implemented to determine which children with disabilities are currently receiving needed special education and related services in accordance with the IDEA.

It is the policy of Chaparral Star Academy Open-Enrollment Charter School to ensure that a free appropriate public education (FAPE) is available to all children with disabilities beginning no later than when the child turns three through the school year in which the student reaches 21 years of age, including children who have been suspended or expelled from school in accordance with the IDEA.

Eligible students with disabilities shall enjoy the right to a free appropriate public education, which may include instruction in the regular classroom, instruction through special teaching, or instruction through contracts approved under this subchapter. Instruction shall be supplemented by the provision of related services when appropriate. (TEC §29.003(a))

It is the policy of Chaparral Star Academy Open Enrollment Charter School to ensure that the child who is deaf or hard of hearing has an education in which the child's unique communication mode is respected, used, and developed to an appropriate level of proficiency.

It is the policy of Chaparral Star Academy Open Enrollment Charter School to ensure that Extended School Year services are available as necessary to provide FAPE.

***Eligibility Criteria***

A student is eligible to participate in an open-enrollment charter school's special education program if the student:

- (1) is not more than 21 years of age and has a visual or auditory impairment that prevents the student from being adequately or safely educated in public school without the provision of special services; or
- (2) is at least three but not more than 21 years of age and has one or more of the following disabilities that prevents the student from being adequately or safely educated in public school without the provision of special services:
  - (A) physical disability;
  - (B) mental retardation;
  - (C) emotional disturbance;
  - (D) learning disability;
  - (E) autism;
  - (F) speech disability; or
  - (G) traumatic brain injury.

(TEC §29.003(b))

A determination of eligibility must not be made if the determinant factor for that determination is lack of appropriate instruction in reading, including in the essential components of reading instruction, lack of appropriate instruction in math, or limited English proficiency. (34 CFR 300.306(b))