

SUBMISSION STATEMENT WITH MANDATED ASSURANCES

I, the Superintendent of the School District, or the Authorized Representative of the State Public Charter School Authority, can make the assurances and certifications found in Section II of this application. These provisions meet the requirements of Part B of the Individuals with Disabilities Education Act (IDEA) as found in PL 108-446. The Local Education Agency (LEA) will operate its Part B program in accordance with all of the required assurances and certifications.

SECTION I

SUBMISSION STATEMENT FOR PART B OF IDEA

The LEA provides assurances that it has in effect policies and procedures to meet all eligibility requirements of Part B of the IDEA as found in PL 108-446, and the applicable regulations. The LEA is able to meet all assurances found in Section II of this application.

SECTION II

ASSURANCES

The LEA makes the following assurances that it has policies and procedures in place as required by Part B of the IDEA. (20 U.S.C. 1411-1419; 34 CFR 300.101 through 100.163 and 300.165 through 300.174. 34 CFR 300.201). All policies and procedures established in and administered by the LEA will be consistent with the approved state's Program Plan, Nevada Revised Statutes, and Nevada Administrative Code, Chapter 388, and all other applicable statutes, regulations, program plans, and applications.

- a. A free appropriate public education is available to all children with disabilities residing in the LEA between the ages of 3 and 21, inclusive, including children with disabilities who have been suspended or expelled, in accordance with 20 USC 1412(a)(1); 34 CFR 300.101-108.
- b. The LEA endorses the goal of providing a full educational opportunity to all children with disabilities and the state's timetable for accomplishing that goal. 20 USC 1412(a)(2); 34 CFR 300.109-110.
- c. All children with disabilities residing in the LEA, including children with disabilities who are homeless or are wards of the State, and children with disabilities attending private schools, 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 20 USC 1412(a)(3). 34 CFR 300.111.
- d. An individualized education program that meets the requirements of 20 USC 1436(d) is developed, reviewed, and revised for each child with a disability in accordance with 34 CFR 300.320-324, except as provided in 300.300(b)(3) and 300.300(b)(4). 20 USC 1412(a)(4); 34 CFR 300.112.
- e. To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are not disabled, and special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily in accordance with 20 USC 1412(a)(5)(A)-(B); 34 CFR 300.114-300.120.
- f. Children with disabilities and their parents are afforded the procedural safeguards required by 34 CFR 300.500 through 300.536 and in accordance with 20 USC 1412(a)(6); 34 CFR 300.121.
- g. Children with disabilities are evaluated in accordance with 34 CFR 300.300 through 300.311. 20 USC 1412(a)(7); 34 CFR 300.122.
- h. The LEA complies with 34 CFR 300.610 through 300.626 (relating to the confidentiality of records and information). 20 USC 1412(a)(8); 34 CFR 300.123.

- i. Children participating in early intervention programs assisted under Part C, and who will participate in preschool programs assisted under Part B, experience a smooth and effective transition to those preschool programs in a manner consistent with section 637(a)(9). By the third birthday of such a child, an individualized education program has been developed and is being implemented for the child. The LEA will participate in transition planning conferences arranged by the designated lead agency under section 635(a)(10). 20 USC 1412(a)(9); 34 CFR 300.124.
 - j. To the extent consistent with the number and location of children with disabilities in the State who are enrolled by their parents in private elementary schools and secondary schools in the school district served by a local educational agency, provision is made for the participation of those children in the program assisted or carried out under Part B of IDEA by providing for such children special education and related services in accordance with the requirements found in 34 CFR 300.130 through 300.148. 20 USC 1412(a)(10); 34 CFR 300.129-300.148.
2. The LEA assures that amounts provided to it under Part B of IDEA will be expended in accordance with 20 USC 1412(a) and 34 CFR 300.202 through 300.206 and that such amounts 1) shall be used only to pay the excess costs of providing special education and related services to children with disabilities; 2) shall be used to supplement State, local, and other federal funds and not to supplant such funds; 3) shall not be used to reduce the level of expenditures for the preceding fiscal year subject to the exceptions contained in 20 USC 1413(a)(B) and (C), and 4) may be used to carry out a schoolwide program under section 1114 of the ESEA subject to the limitations and conditions in 34 CFR 300.206. 34 CFR 300.202-206.
 3. The LEA ensures that all personnel necessary to carry out Part B of the IDEA are appropriately and adequately prepared and trained, including that those personnel have the content knowledge and skills to serve children with disabilities as noted in 20 USC 1412(a)(14)(A)-(E) and 34 CFR 300.156. 34 CFR 300.207.
 4. The LEA assures that if amounts provided to it under Part B of the IDEA are used for a) services and aids that also benefit nondisabled children, b) early intervening services, c) high cost special education and related services, and/or d) administrative case management, the LEA will use such funds in compliance with the provisions contained in 34 CFR 300.208. 34 CFR 300.208.
 5. The LEA assures that it complies with the requirements of 34 CFR 300.209 concerning the carrying out of Part B requirements for charter schools that are public schools of the LEA, including requirements to serve children with disabilities attending those charter schools in the same manner as the LEA serves children with disabilities in its other schools, and the requirements to provide funds under Part B of the IDEA on the same basis and at the same time as the LEA provides Part B federal funds to the LEA's other public schools. 34 CFR 300.209.
 6. The LEA will coordinate with the National Instructional Materials Access Center (NIMAC). The LEA assures that each child who requires instructional materials in an alternate format will receive these in a timely manner. 34 CFR 300.210.
 7. The LEA assures that it will provide the Nevada Department of Education with information necessary to enable the State to carry out its duties under Part B of the IDEA, including with respect to 34 CFR 300.157 and 300.160, information relating to the performance of children with disabilities participating in programs carried out under Part B of the IDEA. 34 CFR 300.211.
 8. The LEA assures that it will make available to parents of children with disabilities and to the general public all documents relating to the eligibility of the agency under Part B of the IDEA, including this application. 34 CFR 300.212.
 9. The LEA assures that it will cooperate with the U.S. Department of Education's efforts under section 1308 of the ESEA to ensure the linkage of records pertaining to migratory children with disabilities for the purpose of electronically exchanging, among the States, health and educational information regarding those children. 34 CFR 300.213.
 10. The LEA assures that programs assisted under P.L. 108-446 will be operated in compliance with Title 45 of the Code of Federal Regulations Part 84 (Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance).

11. The control of funds provided to the LEA under each program and title to property acquired with those funds will be in the LEA and the LEA will directly administer and supervise the administration of those funds and property.
12. The LEA will use fiscal control and fund accounting procedures that will ensure proper disbursement of, and accounting for, federal funds paid to the LEA under each program.
13. None of the funds expended by the LEA under any applicable program will be used to acquire equipment (including computer software) in any instance in which such acquisition results in a direct financial benefit to any organization, representing the interests of the purchasing entity or its employees or any affiliate of such an organization.
14. The LEA will:
 - a. Ensure that all data submitted to the Nevada Department of Education will be accurate and complete.
 - b. Make reports and provide data to the Nevada Department of Education and the U.S. Department of Education as may reasonably be necessary to enable the Nevada Department of Education and the U.S. Department of Education to perform their duties;
 - c. Maintain records--including the records required under Section 437 of GEPA--and provide access to those records as the Department or Secretary decides are necessary to perform their duties; and
 - d. Retain records for a minimum of five years after completion of the activities for which these federal funds were received.
15. The LEA will provide reasonable opportunities for the participation by teachers, parents, and other interested agencies, organizations, and individuals in the planning for and operation of each program.
16. In the case of any project involving construction:
 - a. The project is not inconsistent with overall state plans for the construction of school facilities; and
 - b. In developing plans for construction, due consideration will be given to excellence of architecture and design and to compliance with standards prescribed by the Secretary under Section 504 of the Rehabilitation Act of 1973 in order to ensure that facilities constructed with the use of federal funds are accessible to and usable by individuals with disabilities.
17. The LEA has a procedure for insuring that the hearing aids worn by students with hearing impairments in school are functioning properly.
18. The LEA assures that neither it nor its principals are presently debarred, suspended, proposed for debarment, or voluntarily excluded from participation in federal funding by any Federal department or agency.
19. The LEA assures that either its policies and procedures have not changed since the last State monitoring review, or if the policies and procedures have changed, the changes have been submitted to the Department of Education for review and approval prior to implementation.

Printed/Typed Name and Title of Authorized Representative of the LEA:	
Signature:	Date: