

**281—41.2(256B,34CFR300) Applicability of this chapter.** The provisions of this chapter are binding on each public agency in the state that provides special education and related services to children with disabilities, regardless of whether that agency is receiving funds under Part B of the Individuals with Disabilities Education Act (Act).

**41.2(1) General.** The provisions of this chapter apply to all political subdivisions of the state that are involved in the education of children with disabilities, including:

- a.* The state educational agency (SEA).
- b.* Local educational agencies (LEAs), area education agencies (AEAs), and public charter schools that are not otherwise included as LEAs or educational service agencies (ESAs) and are not a school of an LEA or ESA.
- c.* Other state agencies and schools, including but not limited to the department of health and human services and state schools and programs for children who are deaf or hard of hearing or children who are blind or visually impaired.
- d.* State and local juvenile and adult correctional facilities.

**41.2(2) Private schools and facilities.** Each public agency in the state is responsible for ensuring that the rights and protections under Part B of the Act are given to children with disabilities referred to or placed in private schools and facilities by that public agency; or placed in private schools by their parents under the provisions of rule 281—41.148(256B,34CFR300).

**41.2(3) Age.** This chapter applies to all children requiring special education between birth and the twenty-first birthday and to a maximum allowable age under Iowa Code section 256B.8.

[ARC 7792C, IAB 4/17/24, effective 5/22/24]