

**281—34.3(218) General principles.**

**34.3(1) *Availability.*** All children who reside in state institutions and mental health institutes shall be provided appropriate educational services in accordance with these rules. Special education services to eligible individuals in institutions shall be provided in accordance with 281—Chapter 41.

**34.3(2) *Responsibility of institutions.*** It is the responsibility of institutions to provide or make provision for appropriate educational services to children residing in these institutions and to ensure appropriate transition of children back to the school district of residence. The institution may make provision by contracting with the AEA or the school district in which the institution is located.

**34.3(3) *Basis for funding.*** Funding for general education programs at the institutions is determined using a formula similar to the formula used for the determination of funding for local school districts while considering the unique setting of the institutions. The amount of special education funding is determined by comparing the structure of the general education program at each institution to the nature and extent of services required for students with special education needs beyond what is provided to all students by the general education program.

**34.3(4) *Responsibility of the AEA.*** It is the responsibility of the AEA in which the institution is located to provide media services, educational services, and special education support services. The nature and extent of these services shall be comparable to those provided to school districts in the AEA.