

**281—41.228(256B,34CFR300) State agency eligibility.** Any state agency that desires to receive a subgrant for any fiscal year under rule 41.705(256B,34CFR300) must demonstrate to the satisfaction of the state that all children with disabilities who are participating in programs and projects funded under Part B of the Act receive FAPE, and that those children and their parents are provided all the rights and procedural safeguards described in this chapter; and the agency meets the other conditions of this chapter that apply to LEAs.