UMUGEREKA WA 1

Imenyesha ry'Amategeko arengera umuntu

Mu Itegeko rigamije guteza imbere uburezi bw'Abafite Ubumuga ryo muri 2004 (kongera kwemeza IDEA, 2004), Inteko ishingamategeko yasabye Ishami rya Leta Zunze Ubumwe rya Amerika rishinzwe Uburezi gutangaza no kumenyekanisha cyane 'model forms', "bihuye n'ibisabwa na [Igice cya B cya IDEA]" kandi "byuzuye ngo bihure n'ibisabwa." Iri menyesha ry'Amategeko arengera umuntu ryatanzwe muri za leta:

ICYITONDERWA: Amagambo yanditse mu nyuguti ziberamye asobanuye ibisabwa na Leta. **Amagambo yanditse mu nyuguti zitaberamye muri Time Roman asobanuye amategeko y'Igihugu cyangwa inzego ngenzuramikorere.**

Amahirwe yo gusuzuma inyandiko z'amakuru, ubwitabire bw'ababyeyi mu nama.
34 CFR § 300.501

(a) *Amahirwe yo gusuzuma inyandiko z'amakuru.* Umubyeyi w'umwana ufite ubumuga agomba guhabwa, hashingiwe ku bikurikizwa muri §§ 300.613 kugeza kuri 300.621, amahirwe yo kugenzura no gusuzuma inyandiko z'amakuru y'uburezi hakurikijwe—

(1) Kumenya, gusuzuma ubumenyi no guha umwana umwanya wo kwigiramo, no

(2) Guha umwana gahunda ya FAPE

(b) Kwitabira inama k'umubyeyi.

(1) Umubyeyi w'umwana ufite ubumuga agomba guhabwa amahirwe yo kwitabira inama hakurikijwe—

(i) Kumenya, gusuzuma ubumenyi no guha umwana umwanya wo kwigiramo, no

(ii) Guha umwana gahunda ya FAPE

(2) Buri kigo cya leta kigomba gutanga itangazo rihuye na § 300.322(a)(1) ndetse na (b)(1) kugira ngo hizerwe ko ababyeyi b'abana bafite ubumuga babona amahirwe yo kwitabira inama zavuzwe mu gika cya (b)(1) cy'iki cyiciro.

(3) Inama ntiba irimo ibiganiro bitazwi n'ubuyobozi cyangwa bitateguwe bihuza abakozi b'ikigo cya leta n'ibiganiro ku bibazo nk'uburyo bwifashishwa mu myigishirize, gahunda z'amasomo, cyangwa guhuza ibikorwa by'uburyo bwo gutanga serivisi. Inama kandi ntiba irimo ibikorwa byo kwitegura abakozi b'ikigo cya leta bitabira mu gutegura umushinga w'itegekerezo cyangwa kugira icyo bakora ku mushinga w'igitekerezo cyatanzwe n'umubyeyi kizavugwaho mu nama itaha.

(c) Uruhare rw'ababyeyi mu byemezo byo gutanga imyanya mu mashuri.

(1) Buri kigo cya leta kigomba gukora ku buryo buri mubyeyi w'umwana ufite ubumuga aba ari mu bagize itsinda iryo ari ryo ryose rifata ibyemezo byo gutanga imyanya mu mashuri ku umwana w'umubyeyi.

(2) Mu gushyira mu bikorwa ibisabwa n'igika cya (c)(1) cy'iki cyiciro, ikigo cya leta kigomba kwifashisha uburyo bukurikizwa buhuye n'uburyo bukurikizwa bwasobanuwe muri § 300.322(a) kugeza (b)(1).

(3) Iyo nta mubyeyi n'umwe ubashije kwitabira inama igomba gufatirwamo icyemezo kijyanye n'itangwa ry'imyanya mu mashuri y'umwana we, ikigo cya leta kigomba gukoresha ubundi buryo kugira bizere ko habaye kwitabira, burimo kumuhamagara kuri telefoni ubwe cyangwa yahujwe n'abandi cyangwa gukora inama ku buryo bwa videwo.

(4) Icyemezo cyo gutanga imyanya mu mashuri gishobora gufatwa n'itsinda ritarimo umubyeyi, iyo ikigo cya leta kitashoboye kubona umubyeyi ngo agire uruhare mu ifatwa ry'icyemezo. Muri ubu buryo, ikigo cya leta kiba kigomba kubika inyandiko y'igeregeza ry'ubu buryo kugira ngo hizerwe uru ruhare.

Kumenyesha Amategeko arengera umuntu

34 CFR §300.504

(a) Kopi y'amategeko arengera umuntu ihabwa ababyeyi b'umwana ufite ubumuga *cyangwa umunyeshuri mukuru ufite ubumuga* igomba guhabwa ababyeyi *cyangwa umunyeshuri mukuru* inshuro imwe gusa mu mwaka w'amashuri, keretse ko kopi igomba guhabwa na none ababyeyi –

(1) Ku iyoherezwa rya mbere cyangwa ku busabe bw'umubyeyi bwo gukorerwa isuzuma bumenyi;

(2) Ikirego cya mbere gitanzwe na Leta kikimara kwakirwa no ku iyakira ry'ubusabe *bw'iburanisha kuburenganzira butubahirijwe;*

(3) Hashingiwe ku mategeko ngengamyitwarire *(reba**Ibikurikizwa mu guhana umwana ufite ubuga,** hano hasi);* na

(4) Ku busabe bw'umubyeyi *cyangwa bw'umunyeshuri mukuru.*

(b) Urubuga rwa enterineti. *Ishami ry'Ubuyobozi ry'Ikigo (SAU*) rishobora gushyira kopi y'itangazo ry'Amategeko arengera umuntu ku rubuga rwayo rwa enterineti urwo rubuga ruramutse ruhari.

Abo ababyeyi bahamagara bakeneye ubufasha mu gusobanukirwa uburenganzira bw'ababyeyi barimo Ibiro bishinzwe ibirego bisaba guhabwa uburenganzira by'Ishami rishinzwe Uburezi muri Maine (207-624-6644), Federasiyo y'Ababyeyi muri Maine (1-800-870-7746), Ikigo gishinzwe Uburenganzira bw'Abafite Ubumuga (1-800-452-1948) n'Ikigo gihugura ababyeyi cya Southern Maine Parent Awareness (1-800-564-9696), na KIDS LEGAL (1-866-624-7787).

Umubyeyi ashobora gutanga ubusabe bwo gukemura amakimbirane ku Ishami rishinzwe Uburezi umubyeyi aramutse yumva ko Ishami ry'Ubuyobozi ry'Ikigo (SAU) ritubahirije ibisabwa n'Amabwiriza agenga Uburezi bwihariye muri Maine. (Reba Icyiciro cy'Ikemurwa ry'Amakimbirane hasi.)

Uruhare rw'ababyeyi

Nk'umubyeyi w'umwana ufite cyangwa ushobora kuba afite ubumuga, wemerewe kwitabira inama zijyanye no kwemeza ibyo umwana wawe yemerewe, isuzuma bumenyi ry'ibanze cyangwa kongera gusuzumwa, guhabwa umwanya mu ishuri cyangwa guhabwa gahunda zo gufashwa mu buryo bw'ubuvuzi z'umwana ukiri muto ku mwana wawe ukivuka kugeza ku myaka 2 cyangwa guhabwa uburezi rusange bukwiye kandi butishyurwa ku mwana wawe ufite imyaka 3 kugeza ku myaka 20. Niba uri umunyeshuri ukuze, uba ufite uburenganzira bwo kwitabira inama zijyanye no kwemeza ibyo wemerewe isuzuma bumenyi ry'ibanze cyangwa kongera gusuzumwa, guhabwa umwanya mu ishuri cyangwa guhabwa uburezi rusange bukwiye kandi butishyurwa.

IMENYESHA MU BURYO BW'INYANDIKO

34 CFR §300.503

IMENYESHA

Ishami ry'Ubuyobozi ry'Ikigo (SAU) cyawe rigomba kuguha imenyesha mu buryo bw'inyandiko (kuguha amakuru runaka mu buryo bw'inyandiko), *byibuze iminsi 7 mbere y'itariki Ishami ry'ubuyobozi ry'ikigo:*

1. Ritanze igitekerezo cyo gutangiza cyangwa guhindura umwirondoro, isuzuma bumenyi cyangwa guha umwana wawe umwanya mu ishuri, guhabwa *serivisi zo kwitabwaho mu buryo bw'ubuvuzi ku mwana ukivuka kugeza ku myaka 2, cyangwa* uburezi rusange bukwiye kandi butishyurwa (FAPE) *ku mwana wawe ufite imyaka 3 kugeza kuri 20;* **cyangwa**
2. Ryanze gutangiza cyangwa guhindura umwirondoro, isuzuma bumenyi cyangwa guha umwana wawe umwanya mu ishuri, guhabwa *serivisi zo kwitabwaho mu buryo bw'ubuvuzi ku mwana ukivuka kugeza ku myaka 2,* cyangwa uburezi rusange bukwiye kandi butishyurwa (FAPE) ku mwana wawe ufite imyaka 3 *kugeza kuri 20*.

Ibikubiye mu itangazo

Itangazo ryanditse rigomba:

1. Gusobanura icyemezo *kijyanye n'aho umwana yoherejwe ngo yitabweho, isuzuma bumenyi, umwirondoro, gutegura porogaramu cyangwa guhabwa umwanya mu ishuri* SAU yawe itangaa cyangwa ikanga gufata;
2. Gusobanura impamvu SAU yawe yatekereje cyangwa yanze gufata icyemezo;
3. Gusobanura buri nzira y'isuzuma bumenyi, igenzura, amakuru abikwa cyangwa gutanga raporo yawe ya SAU yakoreshejwe mu gutanga cyangwa kwanga icyemezo;
4. Shyiramo inyandiko y'uko ufite ibikurengera mu biteganywa n'amategeko arengera umuntu mu gice cya B cya IDEA,
5. Bikubwira uko wabona ibisobanuro by'amategeko arengera umuntu niba icyemezo SAU iri gutekereza cyangwa yanze atari ukoherezwa gukorerwa isuzuma bumenyi ry'ibanze;
6. Kubamo abo wahamagara kugira ngo bagufashe gusobanukirwa*uburenganzira bwawe buteganywa* n'Igice cya B cya IDEA, *nk'Ibiro bishinzwe ibirego bisaba guhabwa uburenganzira by'Ishami rishinzwe Uburezi muri Maine (207-624-6644), Federasiyo y'Ababyeyi muri Maine (1-800-870-7746), n'Ikigo gihugura ababyeyi cya Southern Maine Parent Awareness (1-800-564-9696)*
7. Risobanura andi mahitamo ayo ariyo yose Itsinda rishinzwe gahunda y'uburezi yihariye (IEP) y'umwana wawe arimo umubyeyi, yizweho ndetse n'impamvu ayo mahitamo yanzwe;
8. Ritanga ibisobanuro by'izindi mpamvu SAU yawe yatekereje cyangwa ikanga icyemezo.
9. *Ririmo incamake y'ibitekerezo byatanzwe n'ababyeyi, birimo ibisobanuro by'ababyeyi by'iterambere ry'umwana; na*
10. *Amazina n'ibyo buri ugize itsinda akora.*

Imenyesha rigomba kuba riri mu rurimi rwumvikana

Imenyesha rigomba:

1. Kuba ryanditse mu rurimu abantu bose babasha kumva; **kandi**
2. Ryatanzwe mu rurimi rwawe kavukire cyangwa ubundi buryo bwo guhana amakuru ukoresha, keretse kubikora gutyo bitakunda.

Iyo ururimi rwawe kavukire cyangwa ubundi buryo bwo guhana amakuru atari mu rurimi rwanditse, SAU yawe ikora ku buryo:

1. Imenyesha risemurwa mu buryo bw’imvugo mu bundi buryo bwo mu rurimi rwawe kavukire cyangwa mu bundi buryo bwo guhana amakuru;
2. Usobanukirwa ibikubiye mu imenyesha: **kandi**
3. Hari igihamya cyanditse ko 1 na 2 byakurikijwe.

Ururimi Kavukire

34 CFR §300.29

Ururimi kavukire, iyo byakoreshejwe n’umuntu ufite ubumenyi buke bw’Icyongereza, biba bivuze ibikurikira, harimo guhindura mu rurimi Amategeko arengera umuntu:

1. Akenshi ururimi rukoreshwa n’uwo muntu, cyangwa, igihe hari umwana, urwo rurimi ubusanzwe rukoreshwa n’ababyeyi b’umwana;
2. Aho duhurira n’umwana hose mu buryo butaziguye (harimo isuzuma bumenyi ry’umwana), urwo rurimi ubusanzwe rukoreshwa n’umwana mu rugo cyangwa aho yigira.

Ku muntu ufite ubumuga bwo kutumva cyangwa kutabona, cyangwa ku muntu utazi kwandika no gusoma, uburyo bwo guhana amakuru ni ubwo uwo muntu aba asanzwe akoresha (nk’ururimi rw’amarenga, inyandiko za gihanga z’abafite ubumuga bwo kutabona, guhana amakuru mu buryo bw’imvugo).

Ubutumwa bwo kuri imeyili

34 CFR §300.505

Iyo SAU yawe iha ababyeyi amahirwe yo kwakira inyandiko kuri imeyili *kandi bagakora ibikenewe byose ko hari ingamba zikwiye zo kurinda ubudahinyuka bw’igikorwa*, ushobora guhitamo kwakira ibi bikurikira kuri imeyili:

1. Imenyesha ryanditse;
2. Itangazo ry’Amategeko arengera umuntu; ~~**na**~~
3. *Imenyesha ryanditse ritanzwe mbere;*
4. *(Gahunda y’uburezi yihariye, IEP);*
5. *Indangamanota y’imitsindire;* **na**
6. Amamenyesha yerekeye ubusabe bw’iburanisha*kuburenganzira butubahirijwe*.

Uburenganzira butangwa n'umubyeyi - Igisobanuro

34 CFR §300.9

Uburenganzira bwo kwemerera

Uburenganzira bwo kwemerera:

1. Wamenyeshejwe mu rurimi rwawe kavukire cyangwa ubundi buryo bwo guhana amakuru (cyangwa ururimi rw'amarenga, inyandiko za gihanga z'abafite ubumuga bwo kutabona, guhana amakuru mu buryo bw'imvugo) ku makuru y'igikorwa cyose uri gutangira uburenganzira.
2. Usobanukiwe kandi wemeye ukoresheje inyandiko icyo gikorwa, kandi utanze uburenganzira busobanura icyo gikorwa kandi ugashyira ku rutonde inyandiko (niba zihari) zizatangazwa ndetse n'abo zizatangarizwa; **kandi**
3. Usobanukiwe ko uburenganzira watanze wabutanzeku bushake bwawe kandi ushobora kuvanaho uburenganzira watanze igihe ubishakiye.

Kuvanaho uburenganzira watanze bitavanaho (bidahindura) icyemezo cyafashwe nyuma y'uko utanze uburenganzira na mbere y'uko ubuvanyeho.

Iyo umubyeyi avanyeho uburenganzira yatanze mu buryo bw'inyandiko itangwa rya serivisi z'uburezi bwihariye bw'umwana nyuma y'uko umwana yahabwaga serivisi z'uburezi bwihariye n'izindi bifitanye isano, ikigo cya leta ntikiba gisabwa guhindura inyandiko zo ku ishuri z'umwana kugira ngo avanemo ibivugwamo ku itangwa ry'uburezi bwihariye bw'umwana ndetse na serivisi bifitanye isano kubera kuvanaho ubwo burenganzira.

Uburenganzira butangwa n'umubyeyi

34 CFR §300.300

Uburenganzira bwo gukora isuzuma bumenyi ry'ibanze

SAU yawe ntishobora gukora isuzuma bumenyi ry'ibanze rigamije kwemeza niba umwana wawe yemerewe uburezi bwihariye na serivisi bifitaye isano nk'uko biteganywa n'Igice cya B cya IDEA itabanje kuguha imenyesha ry'ibanze mu nyandiko ry'icyemezo cyatekerejweho ndetse batabanje guhabwa uburenganzira mu nyandiko butanzwe nawe nk'uko bisobanurwa mu mutwe wa **Uburenganzira butangwa n'umubyeyi.**

SAU yawe igomba gukora ibishoboka byose kugira ngo uyihe uburenganzira butanzwe ku bushake bwawe bwo gukora isuzuma bumenyi ry'ibanze ryo kwemeza niba umwana wawe ari umwana ufite ubumuga.

Uburenganzira utanga bwo gukora isuzuma bumenyi ry'ibanze ntibusobanura ko kandi wemereye SAU gutangira guha umwana wawe uburezi bwihariye na serivisi bifitanye isano. Iyo umwana wawe yiyandikishije mu kigo cy'amashuri cya leta cyangwa ushaka kwandikisha umwana wawe mu kigo cy'amashuri cya leta kandi ukaba waranze gutanga uburenganzira cyangwa utarabashije gusubiza ubusabe bwo gutanga uburenganzira bwo gukora isuzuma bumenyi ry'ibanze, SAU yawe ishobora, ariko ntisabwa kubikora, gusaba gukora isuzuma bumenyi ry'ibanze yifashishije Itegeko ryerekeye ubuhuza cyangwa ubusabe bw'Iburanisha risaba *uburenganzira butubahirijwe*,inama ikemurirwamo amakimbirane, n'imanza zituzuye zisaba uburenganzira butubahirijwe (keretse yasabwe kubikora ityo cyangwa yarangiwe kubikora ityo nk'uko biteganywa n'Amategeko ya leta) SAU yawe ntizanyuranya n'inshingano zayo zo gushakisha, kumenya no gusuzuma umwana wawe niba idashaka gukora isuzuma ry'umwana muri ubwo buryo, keretse isabwa n'Amategeko ya leta gukora iryo suzuma.

Muri rusange, umubyeyi uwo ariwe wese ashobora gutanga uburenganzira. Mu gihe ababyeyi batandukanye bakaba basangiye uburenganzira n'inshingano zo kurera umwana umubyeyi uwo ariwe wese ashobora gutanga uburenganzira. Nyamara, mu gihe umubyeyi umwe atanze uburenganzira undi mubyeyi akabyanga, Ishami ry'Ubuyobozi ry'Ikigo riba ritegetswe gutangiza igikorwa uburenganzira bwatangiwe.

Amategeko yihariye yo gukora isuzuma bumenyi ry'ibanze ku bana bakurikiranwa na Leta

Iyo umwana ari ukurikiranwa na leta kandi akaba atabana n'umubyeyi we —
SAU yawe ntiba ikeneye uburenganzira butangwa n'umubyeyi kugira ngo ikore isuzuma ry'ibanze rigamije kwemeza niba umwana wawe ari ufite ubumuga niba:

1. Nubwo yaba yarakoze ibishoboka byose, SAU itarabashije kubona umubyeyi w'umwana;
2. Uburenganzira bw'umubyeyi bwarahagaritswe hashingiwe ku mategeko ya Leta; **cyangwa**
3. Umucamanza yarahaye undi muntu utari umubyeyi uburenganzira bwo gufata ibyemezo bijyanye n'uburezi ndetse no gutanga uburenganira bwo gukorerwa isuzuma bumenyi ry'ibanze.

Umwana ukurikiranwa na Leta, nk'uko byakoreshejwe muri IDEA, bivuga umwana, nk'uko bisobanurwa na Leta aho umwana aba, ari:

1. Umwana urererwa mu rugo rutari iwabo;
2. Ufatwa nk'umwana ukurikiranwa na Leta nk'uko biteganywa n'amategeko ya Leta; **cyangwa**
3. Ari mu maboko y'ikigo gikurikirana imibereho myiza y'abana.

Uburenganzira butangwa n'ababyeyi kugira ngo hatangwe serivisi

SAU yawe igomba kubanza guhabwa uburenganzira utanze mu buryo bw'inyandiko mbere yo guha umwana wawe ku nshuro ya mbere uburezi bwihariye ndetse na serivisi zijyanye na bwo.
SAU yawe igomba gukora uko ishoboye kose kugira ngo ihabwe uburenganzira utanze ku bushake mbere yo guha umwana wawe ku nshuro ya mbere uburezi bwihariye ndetse na serivisi zijyanye nabwo.

Iyo utabashije gusubiza ubusabe bwo guha umwana wawe ku nshuro ya mbere uburezi bwihariye ndetse na serivisi zijyanye na bwo, cyangwa wanze gutanga bene ubwo burenganzira, SAU yawe ishobora kudakoresha Amategeko arengera umuntu (ni ukuvuga:, ubuhuza, *Ikirego cyaregewe Leta* , inama yo gukemura amakimbirane, cyangwa iburanisha ry'uburanza rw'uburenganzira butubahirijwe rituzuye) kugira ngo habeho amasezerano cyangwa icyemezo cy'iburanisha kivuga niba uburezi bwihariye na serivisi zijyanye nabwo (zisabwa n'Itsinda rya IEP ryita ku mwana wawe) bishobora guhabwa umwana wawe utabitangiye uburenganzira.

Iyo wanze gutanga uburenganzira bwo kugira ngo umwana wawe ahabwe uburezi bwihariye na serivisi zijyanye na bwo ku nshuro ya mbere, cyangwa iyo utabashije gusubiza ubusabe bwo gutanga ubwo burenganzira kandi SAU ntitange uburezi bwihariye na serivisi zijyanye na bwo yagusabiye uburenganzira, SAU yawe:

1. Ntiba itubahirije ibyo isabwa mu *gutanga serivisi zibereye (ku mwana wawe ukivuka kugeza ku myaka ibiri) cyangwa* gutanga uburezi rusange bukwiye kandi butishyurwa (FAPE) ku mwana wawe (*ufite imyaka 3 kugeza kuri 20)* kubera kutabasha guha umwana izo serivisi; **kandi**
2. Ntibiba bisabwa gukora inama yerekeye gahunda y'uburezi yihariye (IEP) cyangwa gutegura gahunda ya IEP y'umwana wawe ku burezi bwihariye ndetse na serivisi zijyanye nabwo wasabiwe uburenganzira.

Uburenganzira butangwa n'Ababyeyi bwo kongera gukora isuzuma bumenyi

SAU yawe igomba kubanza guhabwa uburenganzira watanze ku bushake mbere y'uko yongera gukorera umwana wawe isuzuma, keretse SAU yawe ibashije kwerekana ko:

1. Yakoze ibishoboka byose ngo uyihe uburenganzira bwo kongera gukorera umwana wawe isuzuma; **ubundi**
2. Ntiwayisubiza.

Iyo wanze gutanga uburenganzira ko umwana wawe yongera gukorerwa isuzuma, SAU yawe ishobora, ariko ntisabwa kubikora, gusaba kongera gukora isuzuma bumenyi yifashishije ubuhuza, inama ikemurirwamo amakimbirane n'imanza zituzuye zisaba uburenganzira butubahirijwe kugira ngo itambamire icyemezo cyawe cyo kwanga ko umwana wawe yongera gukorerwa isuzuma bumenyi. Kimwe no ku masuzuma bumenyi y'ibanze, SAU yawe ntiba irenze ku nshingano zayo ziteganywa mu Gice cya B cya IDEA iyo yanze kongera gukora irindi suzuma muri ubu buryo.

Kubika inyandiko zigaragaza imbaraga zakoreshejwe mu gushaka uburenganzira butangwa n'umubyeyi

Ikigo cyawe cy'amashuri kigomba kuguma kubika inyandiko zigaragaza imbaraga zakoreshejwe mu gushaka uburenganzira butangwa n'umubyeyi bwo gukora amasuzuma bumenyi y'ibanze, gutanga uburezi bwihariye na serivisi zijyanye na bwo ku nshuro ya mbere, kongera gukora isuzuma bumenyi no gushaka ababyeyi b'abana bakurikiranwa na Leta kugira ngo hakorwe isuzuma bumenyi ry'ibanze. Kubika inyandiko bigomba kubamo kubika amakuru y'uko SAU yagerageje muri ibi bice, nka:

1. Amakuru ku buryo burambuye ya telefoni zahamagawe cyangwa zageragejwe n'ibyavuye muri uko guhamagara;
2. Kopi z'inyandiko zo kwandikirana zohererejwe ababyeyi n'ibisubizo bahawe; **na**
3. Amakuru ku buryo burambuye y'isura ry'urugo rw'umubyeyi cyangwa aho akora ndetse n'ibyavuye muri iryo sura.

Ibindi bisabwa bijyanye n'uburenganzira

Uburenganzira utanga ntibusabwa mbere y'uko SAU yawe ishobora:

1. Gusuzuma amakuru asanzweho nka kimwe mu bigize isuzuma bumenyi ryakorewe umwana wawe cyangwa kongera gusuzumwa; **cyangwa**
2. Guha umwana wawe ikizamini cyangwa isuzuma bumenyi rihabwa abandi bana bose keretse, mbere y'icyo kizamini cyangwa isuzuma bumenyi, hakenerwa uburenganzira butangwa n'ababyeyi bose ku bana bose.

Amavugurura y'Uburenganzira butangwa n'Umubyeyi yatangiye gukurikizwa ku wa 31 Ukuboza 2008:

§300.300 Ubutenganzira butangwa n'umubyeyi.

1. Iyo umubyeyi w'umwana ananiwe gusubiza ubusabe, cyangwa yanze kwemera, itangwa rya mbere ry'uburezi bwihariye na serivisi zijyanye na bwo, ikigo cya leta-

a. Gishobora kudakoresha uburyo bukurikizwa mu gace gato ka E k'icyi gice (harimo uburyo bw'ubuhuza buteganywa muri
§ 300.506 cyangwa inzira ikurikizwa mu rubanza rusaba guhabwa uburenganzira iteganywa na §§300.507 kugeza kuri 300.516) kugira ngo habashe kubaho amasezerano cyangwa icyemezo cy'uko izo serivisi zishobora guhabwa umwana;
b. Ntikizafatwa nk'icyanyuranyije n'ibisabwa kugira ngo bihe gahunda ya FAPE

umwana kubera kunanirwa guha umwana uburezi bwihariye na serivisi zijyanye na bwo umubyeyi yangiye cyangwa yaniniriwe gutangira uburenganzira, kandi

c. Si ngombwa gutumiza inama y'itsinda rya IEP cyangwa gutegura IEP iteganywa muri §§300.320 na 300.324 igenewe umwana.

2. Iyo, mu gihe icyo aricyo cyose gikurikira itangwa ry'ibanze ry'uburezi bwihariye ndetse na serivisi zijyanye na bwo, umubyeyi w'umwana avanyeho uburenganzira mu buryo bw'inyandiko bwo gukomeza gutanga uburezi bwihariye na serivisi zijyanye nabwo, ikigo cya leta-

a. Gishobora kudakomeza guha umwana uburezi bwihariye ndetse na serivisi zijyanye na bwo, ariko kigomba gutanga imenyesha ry'ibanze hashingiwe kuri §300.503 mbere yo guhagarika gutanga uburezi bwihariye na serivisi zijyanye na bwo;

b. Gishobora kudakoresha uburyo bukurikizwa mu gace gato ka E k'icyi gice (harimo uburyo bw'ubuhuza buteganywa muri §300.506 cyangwa inzira ikurikizwa mu rubanza rusaba guhabwa uburenganzira iteganywa na §§300.507 kugeza kuri 300.516) kugira ngo habashe kubaho amasezerano cyangwa icyemezo cy'uko izo serivisi zishobora guhabwa umwana;

c. Ntikizafatwa nk'icyanyuranyije n'ibisabwa kugira ngo bihe gahunda ya FAPE ihabwa umwana kubera kunanirwa guha umwana uburezi bwihariye na serivisi zijyanye na bwo, kandi

d. Si ngombwa gutumiza inama y'itsinda rya IEP cyangwa gutegura IEP iteganywa muri §§300.320 na 300.324 kugira ngo umwana akomeze guhabwa uburezi bwihariye na serivisi zijyanye na bwo.

Amasuzuma bumenyi yihariye y'Uburezi
34 CR §300.502

Rusange

Nk'uko byasobanuwe hasi, ufite uburenganzira bwo *gusaba* isuzuma bumenyi ry'imyigire ryigenga (IEE) ry'umwana wawe *nta kiguzi utanze* niba utemeranya n'isuzuma bumenyi ryakorewe umwana wawe SAU yawe yabonye.

Niba warasabye isuzuma bumenyi ry'imyigire ryigenga, SAU igomba kuguha amakuru yerekeye aho ushobora gukura isuzuma bumenyi ry'imyigire ryigenga n'ibijyenye n'ibisabwa na SAU birebana n'amasuzumabumenyi y'imyigire yigenga.

Ibisobanuro by'amagambo

Isuzumabumenyi ry'imyigire ryigenga bivuga isuzuma bumenyi rikorwa n'utanga ikizamini utari umukozi wa SAU ushinzwe uburezi bw'umwana wawe.

Ikiguzi cyishyurwana leta bivuze ko SAU yishyura igiciro cyose cy'isuzuma bumenyi cyangwa igakora ku buryo isuzuma bumenyi urihabwa nta kiguzi, bijyanye n'ibiteganywa n'Igice cya B cya IDEA, bituma buri Leta ikoresha inkomoko iyo ariyo yose y'ubufasha bwa Leta, ubufasha bwaho utuye, Igihugu n'ubwigenge buboneka muri Leta kugira ngo ubashe kuzuza ibisabwa n'Igice cya B cy'Itegeko.

Ubureganzira bw'umubyeyi ku isuzuma ku kiguzi cyishyurwa na leta

Ufite uburenganzira ku isuzuma bumenyi ry'imyigire ryigenga ry'umwana wawe ryishyurwa ku kiguzi cya leta niba utemeranya n'isuzuma bumenyi ryakorewe umwana wawe SAU yabashije gukora, rishingira ku bintu bikurikira:

1. Iyo usabye isuzuma bumenyi ry'imyigire ryigenga rikorerwa umwana wawe ku kiguzi cya leta igihe utemeranywa n'isuzumabumenyi ryakozwe n'ikigo cy'amashuri cy'umwana wawe, SAU igomba, *mu minsi 30* , kuba: (a) Gutanga ubusabe bw'iburanisha *ku burenganzira butubahirijwe* kugira ngo berekane ko isuzuma bumenyi ryakozwe rikwiye; cyangwa (b) Gukora ku buryo isuzuma bumenyi ry'imyigire ryigenga ritanzwe ku kiguzi cya leta, keretse SAU yagaragaje mu iburanisha ko isuzuma bumenyi ryakorewe umwana wahawe ritujuje ibisabwa na SAU.
2. Iyo SAU yawe isabye iburanisha kandi icyemezo cya nyuma kikaba ko isuzuma bumenyi rya SAU ryakorewe umwana wawe rikwiye, uba ugifite uburenganzira ku isuzuma bumenyi ry'imyigire ryigenga, ariko atari ku kiguzi cya leta.
3. Iyo usabye ko isuzuma bumenyi ry'imyigire ryigenga rikorerwa umwana wawe, SAU ishobora kukubaza impamvu utambamira isuzuma bumenyi ryakorewe umwana wawe ryatanzwe na SAU. Nyamara, SAU ishobora kutagusaba ibisobanuro kandi ishobora kudatinza ku mpamvu zitumvikana haba itangwa ry'isuzuma bumenyi ry'imyigire ryigenga ry'umwana wawe ku kiguzi cya leta cyangwa gutanga ubusabe bw'iburanisha ry'urubanza rwo kuburana *uburenganzira butubahirijwe* kugira ngo usabe iburanisha ry'uburenganzira butubahirijwe ryo gushyigikira isuzuma bumenyi ry'umwana wawe rikorwa na SAU.

Wemerewe gusa isuzuma bumenyi ry'imyigire ryigenga rikorerwa umwana wawe ku kiguzi cya leta buri gihe uko SAU ikoze isuzuma bumenyi ry'umwana wawe utemeranywa na ryo.

Amasuzuma bumenyi atangizwa n'ababyeyi

Iyo ubonye isuzuma bumenyi ry'imyigire ryigenga rikorerwa umwana wawe ku kiguzi cya leta cyangwa ugasangiza SAU isuzuma bumenyi rikorerwa umwana wawe wiyishyuriwe:

1. SAU yawe igomba kwita ku byavuye mu isuzuma bumenyi ryakorewe umwana wawe, iyo byujuje ibisabwa na SAU ku masuzuma y'imyigire yigenga, mu cyemezo icyo aricyo cyose cyafashwe hashingiwe ku itangwa ry'uburezi rusange bukwiye kandi butishyurwa (FAPE) buhabwa umwana wawe; **kandi**
2. Wowe na SAU yawe mushobora kwerekana isuzuma bumenyi nk'iimenyetso mu iburanisha ry'urubanza kuburenganzira butubahirijwe bw'umwana wawe.

Ubusabe bw'amasuzuma bukozwe n'abakozi bashinzwe iburanisha

Iyo umukozi ushinzwe iburanisha asabye ko umwana wawe akorerwa amasuzumabumenyi y'imyigire yigenga nka kimwe mu ibigize iburanisha ry'urubanza rw'uburenganzira butubahirijwe, ikiguzi cy'isuzuma bumenyi kigomba kubarwa nk'icyishyurwa na leta.

Ibigenderwaho na SAU

Iyo isuzuma bumenyi ry'imyigire ryigenga ribarwa ku kiguzi cyishyurwa na leta, ibigenderwaho kugira ngo isuzuma bumenyi rikorwe, harimo aho isuzuma bumenyi ryakorewe hamwe n'impamyabushobozi z'utanga ibizami, bigomba kuba bimwe n'ibigenderwaho SAU ikoresha iyo itangiye isuzuma bumenyi (ku buryo ibyo bigenderwaho biba bihuye n'uburenganzira bwawe ku isuzuma bumenyi ry'imyigire ryigenga). Usibye ibigenderwaho byasobanuwe hejuru, SAU ntishobora gushyiraho amabwiriza cyangwa amatariki yerekeye guhabwa isuzuma bumenyi ry'imyigire ryigenga ku kiguzi cya leta.

Ibanga ry'Amakuru

Ibisobanuro by'amagambo
34 CFR §300.611

Nk'uko byakoreshejwe mu mutwe**Ibanga ry'Amakuru**:

- Gusenya bivuze gusenya hakoreshejwe amaboko cyangwa gukura mu makuru ibiranga umuntu ku giti cye kugira ngo ayo makuru ntiyongere kugira umuntu agaragaza.
- Amakuru ku masomo umuntu yize bivuze ubwoko bw'amakuru avugwa mu gisobanuro cya amasomo umuntu yize" muri 34 CFR Igice cya 99 (amabwiriza ashyiraho Uburenganzira bw'umuryango ku burezi n'Itegeko rigena ibanga ry'Ubuzima bwite ryo muri 1974, 20 U.S.C. 1232g (FERPA)).
- Ikigo kitabira isuzuma bivuze SAU, urwego cyangwa ikigo gikusanya, kibika cyangwa gikoresha amakuru aranga umuntu, cyangwa igikurwamo ayo makuru, kivugwa mu Gice cya B cya IDEA.

Ibiranga Umuntu
34 CFR & 300.32

Ibiranga umuntu bivuze amakuru afite:

(a) Izina ry'umwana wawe, izina ryawe nk'umubyeyi, cyangwa izina ry'undi muntu wo mu muryango;
(b) Aderesi z'umwana wawe;
(c) Ikiranga umuntu, nka nomero y'ikigo cy'ubwiteganyirize y'umwana wawe cyangwa nomero iranga umunyeshuri; **cyangwa**
(d) Urutonde rw'ibiranga umuntu ku giti cye cyangwa andi makuru yatuma umwana wawe amenyekana ku buryo budashidikanywaho.

Imenyesha rihabwa ababyeyi
34 CFR §300.612

Ikigo cya Leta gishinzwe uburezi kigomba gutanga imenyesha riboneye ryo kumenyesha ababyeyi neza ibijyanye n'ibanga ry'amakuru agaragaza umuntu arimo:

1. Gusobanura ikigero imenyesha ritangwaho mu ndimi kavukire z'amatsinda y'abantu batandukanye bo muri Leta;

2. Gusobanura abana babikiwe amakuru abaranga, ubwoko bw'amakuru akenewe, uburyo Leta ishaka gukoresha mu gukusanya amakuru (harimo aho amakuru yakusanyijwe yaturutse), n'ibyo amakuru azakoreshwa;
3. Incamake y'ambwiriza n'amategeko ibigo byitabira isuzuma bumenyi bigomba gukurikiza bijyanye n'ububiko, kubihishurira undi muntu, kubisubirana no gusenya amakuru agaragaza umuntu **na**
4. Ibisobanuro by'uburenganzira bwose bw'ababyeyi n'abana byerekeye aya makuru, harimo uburenganzira buteganywa n'Itegeko rigena Uburenganzira bw'Umuryango n'Ubuzima bwite (FERPA) n'amabwiriza yo kurishyira mu bikorwa avugwa muri 34 CFR Igice cya 99.

Mbere yo kumenya ku buryo bugaragara, gushaka aho ahereye cyangwa igikorwa cy'isuzuma bumenyi (bizwi nka "gushaka umwana), hagomba gutangazwa imenyesha cyangwa kuritanga mu binyamakuru cyangwa mu bindi bitangazamakuru, cyangwa byombi, rigatambutswa ku buryo bukwiye bwo kumenyesha ababyeyi muri Leta yose igikorwa cyo gushakisha aho bahereyeye, kumenya no gusuzuma ubumenyi bw'abana bakeneye uburezi bwihariye na serivisi zijyanye nabwo.

Uburenganzira bwo kubona inyandiko z'amakuru
34 CFR §300.613

Ikigo kitabira isuzuma bumenyi kigomba kukwemerera kugenzura no gusuzuma inyandiko izo arizo zose z'amakuru y'imyigire z'umwana wawe zakusanyijwe, zikabikwa, cyangwa zigakoreshwa na SAU yawe hakurikijwe ibiteganywa mu Gice cya B cya IDEA. Ikigo cyitabira isuzuma kigomba kubahiriza ubusabe bwo kugenzura no gusuzuma inyandiko izo arizo zose z'amakuru y'imyigire z'umwana hatabayeho gukerezwa cyangwa mbere y'inama iyo ariyo yose yerekeye gahunda y'imyigire yihariye (IEP), cyangwa iburanisha ry'urubanza rw'uburenganzira butubahirijwe ritabogamye (harimo inama yo gukemura ikibazo cyangwa iburanisha rijyanye n'imyitwarire), kandi uko byagenda kose ntibirenze iminsi 45 isanzwe nyuma y'uko utanze ubusabe.

Uburenganzira bwawe bwo kugenzura no gusuzuma amakuru y'amasomo umuntu yize burimo:

1. Uburenganzira bwawe bw'igisubizo uhabwa n'urwego rwitabira isuzuma bumenyi ku busabe bwawe bunyuze mu kuri bw'ibisobanuro no guha ibisobanuro izo mpapuro z'amakuru;
2. Uburenganzira bwawe bwo gusaba ko ikigo cyitabira isuzuma bumenyi gitanga kopi z'amasomo umuntu yize niba udashobora kuzigenzura no kuzisuzuma uko bikwiye keretse uhawe izo kopi;**na**
3. Uburenganzira bwawe bwo kubwira uguhagarariye akagenzura kandi agasuzuma impapuro z'amakuru.

Ikigo cyitabira isuzuma gishobora gufata ko ufite ububasha bwo kugenzura no gusuzuma amakuru y'amasomo yize avuga ku mwana wawe keretse cyabwiwe ko udafite ububasha buteganywa n'amategeko ya Letaagenga bene ibyo bibazo nko kubera umwana umurezi, cyangwa kuvangura n'uwo mwashakanye na gatanya.

Amakuru yo kugera ku nyandiko
34 CFR §300.614

Buri kigo cyitabira isuzuma kigomba kubika amakuru y'abantu bahawe uburenganzira bwo kugera ku makuru yakusanyijwe, yabitswe cyangwa yakoreshejwe hashingiwe ku biteganywa n'Igice cya B cya IDEA (usibye kugera kuri ayo makuru n'ababyeyi n'abakozi babifitiye ububasha b'ikigo cyitabira isuzuma), harimo izina ry'umuntu, itariki uburenganzira bwo kuyageraho bwatangiwe, n'impamvu uwo muntu yemerewe gukoresha ayo makuru.

Amakuru y'amasomoumwana urenze umwe yize

34 CFR §300.615

Iyo amakuru y'amasomo umwana yizeari arimo amakuru y'amasomo y’umwana urenze umwe, ababyeyi b’abo bana baba bafite uburenganzira bwo kugenzura no gusuzuma amakuru yerekeye umwana wabo cyangwa bakamenyeshwa iby’ayo makuru yihariye.

Urutonde rw’Ubwoko n’Aho amakuru ahererye

34 CFR §300.616

Bisabwe, buri kigo cyitabira isuzuma kiba kigomba gutanga urutonde rw’ubwoko n’ahaherereye amakuru y'amasomo umwana yizeyakusanyijwe, yabitswe cyangwa yakoreshejwe n’ikigo.

Amafaranga

34 CFR §300.617

Buri kigo cyitabira isuzuma gishobora kwishyuza amafaranga kuri kopi z’amakuru y'amasomowakorewe hashingiwe ku Gice cya B cya IDEA, niba amafaranga yishyuzwa atakubuza kugira uburenganzira bwa burundu bwo kugenzura no gusuzuma izo nyandiko z’amakuru.

Ikigo cyitabira isuzuma gishobora kutishyuza amafaranga yo gushakisha cyangwa kugarura amakuru ateganywa mu Gice cya B cya IDEA.

Amavugurura y’impapuro z’amakuru ku Busabe bw’Umubyeyi

34 CFR §300.618

Iyo wumva ko amakuru ari mu masomo reumwana wawe yize yakusanyijwe, akabikwa, cyangwa agakoreshwa hashigiwe ku biteganywa n’Igice cya B cya IDEA atuzuye, abeshya cyangwa anyuranyije n’amabwiriza y’ubuzima bwite cyangwa ubundi burenganzira bw’umwana wawe, ushobora gusaba ikigo cyitabira isuzuma bumenyi kibitse amakuru kuyahindura.

Ikigo cyitabira isuzuma bumenyi kigomba kwemeza niba guhindura amakuru hashingiwe ku busabe bwawe mu gihe runaka gikwiye cy’iyakira ry’ubusabe bwawe.
Iyo ikigo cyitabira ubushakashatsi cyanze guhindura amakuru nk’uko ubisabye, kigomba kukumenyesha uko kubyanga kandi kikakumenyesha uburenganzira bw’iburanisha ku bw’iyi mpamvu nk’uko bisobanurwa mu mutwe **Amahirwe yo Kuburanishwa,** *uri hano hasi.*

Amahirwe yo Kuburanishwa

34 CFR §300.619

Ikigo cyitabira isuzuma bumenyi kigomba, kibisabwe, gutanga amahirwe yo Kuburanishwao yo gutambamira amakuru ari mu masomo umwana wawe yize kugira ngo bizere neza ko atuzuye, abeshya cyangwa anyuranyije n’amabwiriza y’ubuzima bwite cyangwa ubundi burenganzira bw’umwana wawe.

Imiburanishirize y'imanza

34 CFR §300.621

Iburanisha ry'urubanza rwo gutambamira amakuru ari mu masomo umuntu yize rigomba gukorwa hashingiwe ku bikurikizwa kuri ayo maburinisha ateganywa n'Itegeko rigena uburenganzira bw'umuryango ku burezi n'ubuzima bwite (FERPA).

Ibyavuye mu iburanisha

34 CFR §300.620

Iyo, bitewe n'ibyavuye mu iburanisha, ikigo cyitabira isuzuma bumenyi cyemeje ko amakuru atari ukuri, abeshya cyangwa se anyuranyije n'amabwiriza y'ubuzima bwite cyangwa ubundi burenganzira bw'umwana, kigomba guhindura ayo makuru uko bikwiye ndetse kikanabikumenyesha mu nyandiko.

Iyo, bitewe n'ibyavuye mu iburanisha, ikigo cyitabira isuzuma bumenyi cyemeje ko amakuru atari ukuri, abeshya cyangwa se anyuranyije n'amabwiriza y'ubuzima bwite cyangwa ubundi burenganzira bw'umwana, kigomba kukumenyesha uburenganzira bwawe bwo kubika mu mpapuro ko ibitse inyandiko y'umwana wawe ivuga ku makuru cyangwa atanga impamvu izo arizo zose utemeranywa n'icyemezo cy'ikigo cyitabira isuzuma.

Bene icyo gisobanuro cyashyizwe mu mpapuro z'amakuru y'umwana kigomba:

1. Kubikwa n'ikigo cyitabira isuzuma nk'ibigize inyandiko z'amakuru y'umwana igihe cyose inyandiko z'amakuru cyangwa ikitemeranywaho cyabitswe n'ikigo cyitabira isuzuma; **kandi**

2. Iyo ikigo cyitabira isuzuma kigaragaje impapuro z'amakuru y'umwana wawe cyangwa igice kitemeranyijweho n'uruhande urwo arirwo rwose, icyo gisobanuro kigomba kugaragarizwa urwo ruhande.

Uburenganzira bw'Itangazwa ry'amakuru bwite aranga umuntu

34 CFR §300.622

Keretse iyo amakuru akubiye mu nyandiko z'amakuru y'imyigire, kandi itangazwa ryayo rikaba ryemewe hatabanje gutangwa uburenganzira bw'umubyeyi buteganywa n'Itegeko rigena uburenganzira bw'umuryango ku burezi n'Ubuzima bwite (FERPA), uburenganzira utanga bugomba kubaho mbere y'uko amakuru bwite akuranga atangarizwa izindi mpande zitari abayobozi b'ibigo byitabira isuzuma bumenyi. Usibye mu bihe byasobanuwe hano hasi, uburenganzira utanga ntibuba bukenewe mbere y'uko amakuru bwite akuranga atangarizwa abayobozi b'ibigo bibigiramo uruhare ku mpamvu zo kuzuza ibiteganywa n'Igice cya B cya IDEA.

Uburenganzira utanga, cyangwa uburenganzira bw'umwana wemerewe wujuje imyaka*18 (cyangwa wahawe uburenganzira bwose)* hashingiwe ku mategeko ya Leta, bugomba gutangwa mbere y'uko amakuru bwite aranga umuntu atangarizwa abayobozi b'ibigo byitabira isuzumabumenyi cyangwa kwishyura serivisi zirebana n'impinduka.
Iyo umwana wawe ari, cyangwa yenda kujya, mu kigo cyigenga kidaherereye muri SAU imwe n'iyo utuyemo, uburenganzira utanga buba bugomba kubaho mbere y'uko amakuru bwite ayo ariyo yose aranga umuntu y'umwana wawe atangarizwa hagati y'abayobozi ba SAU aho ikigo cyigenga giherereye n'abayobozi bo muri SAU y'aho utuye.

Kurindwa
34 CFR §300.623

Buri kigo cyitabira isuzuma bumenyi gikomba kurinda ibanga ry'amakuru bwite aranga umuntu ku

byiciro by'ikusanya, ibikwa, itangazwa n'isenywa ryayo.

Umuyobozi umwe wo ku kigo cyitabira isuzumabumenyi agomba gufata inshingano zo guharanira ko ibanga ry'amakuru bwite aranga umuntu ririnzwe.

Abantu bose bakusanya cyangwa bakoresha amakuru bwite aranga umuntu bagomba guhabwa amahugurwa cyangwa inyigisho zerekeye amabwiriza n'amategeko akurikizwa muri Leta yawe yerekeye ibanga riteganywa mu Gice cya B cya IDEA n'Itegeko rigena uburenganzira bw'umuryango ku burezi n'Ubuzima bwite (FERPA).

Buri kigo cyitabira isuzuma bumenyi kigomba kubika, kubera igenzura rikorwa na leta, urutonde rw'amazina n'imyanya y'abakozi bo mu kigo bashobora kubasha kugera ku makuru bwite agaragaza umuntu.

Isenywa ry'amakuru
34 CFR §300.624

SAU yawe igomba kukumenyesha igihe amakuru bwite akwerekeye yakusanyijwe, akabikwa cyangwa agakoreshwa atagikenewe mu guha umwana wawe serivisi z'uburezi.

Amakuru agomba gusenywa igihe ubisabye. Nyamara, hashobora kubikwa ku buryo bwa burundu izina ry'umwana, aderesi na nomero ya telefone, amanota ye, amakuru ajyanye n'ubwitabire, amashuri yize, umwaka w'amashuri yarangijemo n'umwaka yarangirijemo nta herezo ry'igihe runaka.

Ikemurwa ry'amakimbirane

20-A M.R.S.A. §7202 et seq.

Imiburanishirize y'ibirego biregerwa Leta

> Itandukaniro riri hagati y'Iburanisha ry'urubanza rw'uburenganzira butubahirijwe n'Imiburanishirize y'ibirego biregerwa Leta

Amabwiriza y'Igice cya B cya IDEA yashyizweho atandukanya imiburanishirize y'Imanza ziregerwa leta n'Iburanisha ry'imanza z'uburenganzira butubahirijwe. *Maine yifashisha Igice cya B cy'uburyo bw'imikirize y'amakimbirane ku bana bavugwa mu Gice cya C.* Nk'uko byasobanuwe hasi, umuntu uwo ariwe wese cyangwa umuryango ushobora gutanga Ikirego kiregerwa Leta kivuga ko habayeho kutubahiriza ibyo ari byose bisabwa na SAU, Ikigo cya Leta gishinzwe uburezi, cyangwa ikindi kigo cya leta biteganywa n'Igice cya B. Wowe gusa cyangwa SAU yawe mushobora gutanga ubusabe bw'*iburanisha ku burenganzira butubahirijwe*ku kibazo icyo aricyo cyose kijyanye n'icyemezo cyangwa kwangwa kw'itangizwa cyangwa guhindurwa k'umwirondoro, isuzuma bumenyi cyangwa guha umunyeshuri ufite ubumuga umwanya mu ishuri, cyangwa *gutanga serivisi zikwiye (ku akivuka kugeza ku myaka 2) cyangwa* uburezi rusange bukwiye kandi butishyurwa (FAPE) ku mwana *(ufite imyaka 3 kugeza kuri 20* .) Mu gihe abakozi b'Ikigo cya Leta gishinzwe uburezi bagomba muri rusange gukemura Ikirego cyaregewe leta mu gihe byibuze cy'iminsi itarenze 60, keretse icyo gihe cyarongerewe uko bikwiye, umukozi ushinzwe iburanisha ry'urubanza rw'uburenganzira butubahirijwe ritabogamye agomba kuburanisha

ubusabe bw'iburanisha *ry'uburenganzira butubahirijwe* (igihe butakemuriwe mu nama yo gukemura amakimbirane cyangwa mu buhuza) akanatanga icyemezo cyo mu buryo bw'inyandiko mu minsi 45 isanzwe nyuma y'uko ikemurwa ry'ikibazo rirarangiye, nk'uko bisobanurwa muri iyi nyandiko ifite umutwe wa Uburyo bw'Imikemurire y'ikibazo, keretse umukozi ushinzwe iburanisha atanze igihe runaka cy'inyongera ku busabe bwawe cyangwa ku busabe bwa SAU. Ikirego cyaregewe leta, uburyo bw'imikemurire ndetse n'imiburanishirize y'urubanza rw'uburenganzira butubahirijwe byasobanuwe ku buryo bwuzuye hano hasi.

Itorwa ry'Imiburanishirize y'ibirego biregerwa Leta
34 CFR §300.151

Rusange

Buri Kigo cya Leta gishinzwe uburezi kigomba kugira uburyo bukurikizwa bwanditse bwo:

1. Gukemura amakimbirane ayo ariyo yose, harimo ibirego byatanzwe n'umuryango cyangwa umuntu ku giti cye wo mu yindi Leta;
2. Mu gihe basakaza uburyo bw'imiburanishirize y'Ibirego byaregewe Leta ku babyeyi n'abandi bantu babishaka, barimo ibigo bihugura ababyeyi n'ibishinzwe amakuru, ibigo bishinzwe ubwirinzi n'ubuvugizi, ibigo byo kubamo byigenga n'izindi nzego zikwiye

Kurenganurwa igihewangiwe serivisi zikwiye

Mu gukemura Ikirego cyaregewe Leta aho Ikigo cya Leta gishinzwe uburezi cyabonye ko cyananiwe gutanga serivisi zikwiye, Ikigo cya Leta gishinzwe uburezi kigomba guhangana na:

1. Kunanirwa gutanga serivisi zikwiye, zirimo ibikorwa bihuriweho byo gukemura ibikenerwa n'umwana; <u>**no**</u>

2. Gutanga serivisi zikwiye mu gihe kizaza ku bana bafite ubumuga.

Imanza nke zishoboka z'ibirego biregerwa Leta
34 CFR §300.152

Igihe ntarengwa, imanza nke zishoboka

Buri Kigo cya Leta gishinzwe uburezi kigomba gushyira mu miburanishirize y'ibirego biregerwa leta igihe ntarengwa cy'iminsi 60 isanzwe nyuma y'itangwa ry'ikirego kugira ngo:

1. Hakorwe iperereza ryigenga ribera aho byakorewe, niba Ikigo cya Leta gishinzwe uburezi cyaremeje ko iperereza rikenewe;
2. Guha urega amahirwe yo gutanga andi makuru, yaba mu mvugo cyangwa mu nyandiko, ajyanye n'ibyo aregera bikubiye mu kirego;
3. Guha SAU cyangwa ikindi kigo cya leta amahirwe yo gusubiza ikirego, harimo, byibuze: (a) bitewe n'amahitamo y'ikigo, igitekerezo cyo gukemura ikirego; <u>**na**</u> (b) amahirwe ku mubyeyi watanze ikirego n'ikigo kwemera ku bushake kujya mu buhuza;
4. Gusuzuma amakuru yose y'ingenzi no gufata umwanzuro wigenga urebana niba SAU cyangwa ikindi kigo cya leta kiri kutubahirizaibisabwa mu Gice cya B cya IDEA; <u>**no**</u>

5. Guha urega umwanzuro wanditse uvuga buri kiregerwa cyo mu kirego kandi ukaba urimo: (a) ibyavuye mu ngingo z’urubanza n’imyanzuro; **hamwe** (b) n’impamvu z’icyemezo cya nyuma cy’Ikigo cya leta gishinzwe uburezi.

Kongera igihe, icyemezo cya nyuma, ishyirwa mu bikorwa

Imanza z’Ikigo cya Leta gishinzwe uburezi cyasobanuwe haruguru kandi zigomba:

1. Kwemerera ko habaho igihe cy’inyongera cy’iminsi 60 itarenga igihe gusa: (a) hari impamvu zidasanzwe zijyanye n’ikiregо cyihariye kiregerwa muri Leta; **cyangwa** (b) umubyeyi na SAU cyangwa ikindi kigo cya leta kivugwamo cyemeye ku bushake kongera igihe cyo gukemura ikibazo binyuze mu buhuza cyangwa ubundi buryo bwo gukemura amakimbirane, niba ahari muri Leta.
2. Kubamo ibikurikizwa kugira ngo habeho ishyirwa mu bikorwa rikwiye ry’icyemezo cya nyuma cy’Ikigo cya Leta gishinzwe uburezi, iyo bibaye ngombwa, harimo (a) ibikorwa by’ubufasha bwa tekiniki; (b) ibiganiro; **na** (c) ibikorwa bihuriweho bigamije kuzuza ibisabwa.

Ibirego biregerwa Leta n’amaburanisha y’imanza z’uburenganzira butubahirijwe

Iyo hakiriwe ikirego kiregewe Leta kandi gisaba iburanisha ry'ikirego cy'uburenganzira butubahirijwe nk’uko byasobanuwe hasi mu mutwe wa**Gutanga Iburanisha ry'ikirego cy'uburenganzira butubahirijwe,** cyangwa ikirego kiregerwa Leta kirimo ibibazo byinshi aho kimwe cyangwa byinshi ari kimwe mu bigize iryo buranisha, Leta igomba gushyira ku ruhande Ikirego kiregerwa leta, cyangwa ikindi icyo aricyo cyose kigize ikirego kiregerwa Leta kigwaho mu iburanisha ry'ikirego cy'uburenganzira butubahirijwe kugeza iburanisha rirangiye. Ikibazo icyo aricyo cyose kiri mu Kirego kiregerwa Leta kitari mu bigize iburanisha ry'ikirego cy'uburenganzira butubahirijwe kigomba gukemurwa hifashishijwe igihe ntarengwa n’inzira z’imiburanishirize zavuzwe haruguru.

Iyo hari ikibazo kivutse mu Kirego cyaregewe Leta cyafashweho umwanzuro mbere mu iburanisha ry'ikirego cy'uburenganzira butubahirijwe ririmo impande zimwe (wowe na SAU), ubwo icyemezo cy’iburanisha ry'ikirego cy'uburenganzira butubahirijwe kiba gitegeka ibigomba kubahirizwa kuri icyo kibazo kandi n’Ikigo cya leta gishinzwe uburezi kigomba kumenyesha urega ko icyo cyemezo gitegetswe kubahirizwa.

Ikirego kivuga ko SAU cyangwa ikindi kigo cya Leta cyananiwe gushyira mu bikorwa icyemezo cy’iburanisha ry'ikirego cy'uburenganzira butubahirijwe kigomba gukemurwa n’Ikigo cya Leta gishinzwe Uburezi.

Imitangire y’Ikirego
34 CFR §300.153

Umuryango cyangwa umuntu ku giti cye ashobora gutanga ikirego kiregerwa Leta kiriho umukono akurikije inzira binyuzwamo zavuzwe haruguru.
Ikirego kiregerwa Leta kigomba kuba kirimo:

1. Inyandiko ivuga ko SAU cyangwa ikindi kigo cya leta kitubahirijeibisabwa mu gice cya B cya IDEA cyangwa amabwiriza yayo;
2. Ingingo iyo nyandiko ishingiyeho:
3. Umukono n’amakuru y’uburyo urega yahamagarwamo cyangwa yakandikirwa; na
4. Niba hakekwa ko habayeho kutubahiriza amategeko ku mwana runaka:
   (a) Izina ry’uwo mwana na aderesi z’aho umwana atuye;
   (b) Izina ry’ikigo cy’amashuri uwo mwana yigaho;

(c) Mu gihe ari umwana utagira aho ataha cyangwaurubyiruko, amakuru y'uburyo yakandikirwamo cyangwa yahamagarwamo, n'izina ry'ikigo uwo mwana yigaho;

(d) Ibisobanuro by'imiterere y'ikibazo cy'umwana; harimo ingingo zifitanye isano n'ikibazo; **na**

(e) Imikemurire y'ikibazo yatekerejweho ku kigero kizwi kandi uruhande rwatanze ikirego rushobora kubona mu gihe cy'itangwa ry'ikirego.

Ikirego kigomba kuba kivuga ko hashobora kuba harabayeho kutubahirizwa kw'amategeko byabayeho mu gihe kitari munsi y'umwaka mbere y'itariki icyo kirego cyakiriweho nk'uko biteganywa mu mutwe wa**yemezwary'Imiburanishirize y'ibirego biregerwa Leta,** *keretse igihe kisumbuyeho kibereye kubera ko urega ari gusaba serivisi zo gusubiriza ku kutubahiriza amategeko gukekwa ko kwabayeho mu gihe kitarenze imyaka ibiri mbere y'itariki ikirego cyanditse cyakiriwe n'Ishami rishinzwe uburezi.* Uruhande rutanga ikirego kiregerwa Leta rugomba kohereza kopi y'ikirego kuri SAU cyangwa ikindi ikigo cya leta giha umwana serivisi mu gihe kimwe uruhande rutangiye ikirego mu Kigo cya leta gishinzwe uburezi.

SEA, iteganywa muri 34 CFR 300.537, ishobora kugena uburyo bw'ishyirwa mu bikorwa ry'inama igamije amasezerano yo gukemura ikibazo n'amasezerano y'ubuhuza.

Uburyo *bw'Iburanisha ry'ikirego cy'uburenganzira butubahirijwe*

Itangwa *ry'Ubusabe bw'iburanisha ry'ikirego cy'uburenganzira butubahirijwe* 34 CFR §300.507

Rusange

Wowe cyangwa SAU yawe mushobora gutanga ubusabe bw'*iburanisha ry'ikirego cy'uburenganzira butubahirijwe*ku kibazo icyo aricyo cyose kijyanye n'icyemezo cyangwa kwangwa kw'itangizwa cyangwa guhindurwa k'umwirondoro, isuzuma bumenyi cyangwa guha umunyeshuri ufite ubumuga umwanya mu ishuri, cyangwa *gutanga serivisi zikwiye kuva akivuka kugeza ku myaka 2 cyangwa* uburezi rusange bukwiye kandi butishyurwa (FAPE) ku wawe mwana *ufite imyaka 3 kugeza kuri 20* .

Ubusabe *bw'iburanisha ry'ikirego cy'uburenganzira butubahirijwe* bugomba kuba buvuga ibitarubahirijwe byabayeho mu myaka itarenze ibiri mbere y'uko wowe cyangwa SAU mumenya cyangwa mwamenye ibijyanye n'igikorwa gikekwa kigize ishingiro ry'ubusabe *bw'iburanisha ry'ikirego cy'uburenganzira butubahirijwe*

Igihe ntarengwa cyavuzwe haruguru ntigikurikizwa kuri wowe iyo udashoboye gutanga ubusabe*bw'iburanisha ry'ikirego cy'uburenganzira butubahirijwe*
mu gihe ntarengwa cyasabwe kubera:

1. SAU yavuze nabi ko yakemuye ibibazo byagaragaye mu *busabe bw'iburanisha;* **cyangwa**
2. SAU yafatiriye amakuru watanze yasabwaga kuguha nk'uko biteganywa mu Gice cya B cya IDEA.

Amakuru ahabwa ababyeyi

SAU igomba kukumenyesha serivisi izo arizo zose zemewe n'amategeko zitishyurwa ndetse n'izindi serivisi bijyanye ziri muri ako gace niba warasabye ayo makuru, **cyangwa** niba wowe cyangwa SAU itanze ubusabe bw'*iburanisha ry'ikirego cy'uburenganzira butubahirijwe*.

Ubusabe bw’iburanisha *ry’ikirego cy’uburenganzira*butubahirijwe

34 CFR §300.508

Rusange

Kugira ngo usabe iburanisha, wowe cyangwa SAU (cyangwa uguhagarariye mu mategeko cyangwa uhagarariye SAU mu mategeko) agomba guha ubusabe bw’*iburanisha ry’ikirego cy’uburenganzira butubahirijwe* undi muburanyi. Ubwo *busabe bw’iburanisha*bugomba kubamo ibintu bikurikira byose byavuzwe hano hasi kandi bigomba kuguma kugirwa ibanga.
Wowe cyangwa SAU, uwatanze *ubusabe bw’iburanisha* , agomba kandi guha Ishami rishinzwe uburezi kopi*y’ubusabe bw’iburanisha*. *Ubusabe bw’iburanisha*bufatwa nk’aho bwakiriwe, ndetse n’ibihe ntarengwa bikurikizwa ku iburanisha bikubahirizwa, iyo Ikigo cya Leta gishinzwe uburezi cyakiriye kopi yacyo y’ubusabe burimo amakuru asabwa kandi kikaba cyarakiriye inyandiko yemeza ko uruhande ruburana rwakiriye ubwo busabe.

Ibikubiye mu*busabe bw’iburanisha*

Ubusabe*bw’iburanisha ry’ikirego cy’uburenganzira butubahirijwe* bugomba kubamo:

1. Izina ry’umwana;
2. Aderesi y’aho umwana atuye;
3. Izina ry’ikigo cy’amashuri cy’umwana;
4. Niba umwana ari utagira aho ataha cyangwa umuntu w’urubyiruko, amakuru y’uburyo yakandikirwamo cyangwa yahamagarwamo n’izina ry’ikigo cy’uwo mwana;
5. Ibisobanuro by’imiterere y’ikibazo cy’umwana gifitanye isano n’icyemezo cyatekerejweho cyangwa cyanzwe; harimo ingingo zifitanye isano n’ikibazo; **na**
6. Imikemurire y’ikibazo yatekerejweho ku kigero kizwi kandi wahawe cyangwa SAU kuri icyo gihe.

Imenyesha rikenewe mbere y’iburanisha ku busabe*bw’iburanisha ry’ikirego cy’uburenganzira butubahirijwe*

Wowe cyangwa SAU mushobora kutagira iburanisha ry'ikirego cy'uburenganzira butubahirijwe kugeza Iigihe wowe cyangwa SAU (cyangwa uguhagarariye mu mategeko cyangwa uhagarariye SAU mu mategeko), mutanze ubusabe bw’*iburanisha ry’ikirego cy’uburenganzira butubahirijwe* kirimo amakuru yavuzwe hejuru.

Kuzura *k’ubusabe bw’iburanisha*

Kugira ngo ubusabe bw’*iburanisha ry’ikirego cy’uburenganzira butubahirijwe* bukomeze, bugomba kuba bwafashwe nk’ubwuzuye. Ubusabe bw’*iburanisha ry’ikirego cy’uburenganzira butubahirijwe* bufatwa nk’ubwuzuye (kuba bwujuje ibikubiyemo byavuzwe hejuru) keretse uruhande rwakira ubusabe bw’*iburanisha ry’ikirego cy’uburenganzira butubahirijwe* (wowe cyangwa SAU) rumenyesheje umukozi ushinzwe iburanisha ndetse n’urundi ruhande mu nyandiko, mu minsi 15 isanzwe y’iyakirwa *ry’ubusabe bw’iburanisha*, uruhande rubwakira rwizera ko ubusabe bw’*iburanisha ry’ikirego cy’uburenganzira butubahirijwe* butujuje ibisabwa byavuzwe haruguru.

Mu minsi itanu isanzwe y’iyakirwa ry’imenyesha, uruhande rwakira (wowe cyangwa SAU) mufata itangwa *ry’Ubusabe bw’iburanisha ry’ikirego cy’uburenganzira butubahirijwe* n’ubutuzuye, umukozi ushinzwe iburanisha yemeze niba ubusabe

bw'*iburanisha ry'ikirego cy'uburenganzira butubahirijwe* cyujuje ibisabwa byavuzwe hejuru, kandi akakumenyesha wowe na SAU mu nyandiko ako kanya.

Ivugururwa ry'*Ubusabe bw'Iburanisha*

Wowe cyangwa SAU mushobora gukora impinduka ku*busabe bw'iburanisha*iyo gusa:

1. Uruhande rwemeje izo mpinduka mu nyandiko kandi rukaba rwarahawe amahirwe yo gukemura Ubusabe bw'*iburanisha ry'ikirego cy'uburenganzira butubahirijwe* binyuze mu nama yo gukemura amakimbirane, yavuzwe hano hasi; **cyangwa**
2. Mu minsi itarenze itanu mbere y'uko iburanisha ry'ikirego cy'uburenganzira butubahirijwe ritangira, umukozi ushinzwe iburanisha atanga uruhushya rwo gukora impinduka.

Iyo uruhande rurega (wowe cyangwa SAU) mukoze impinduka ku busabe bw'*iburanisha ry'ikirego cy'uburenganzira butubahirijwe*, amatariki ntarengwa y'inama yo gukemura ikibazo (mu minsi 15 isanzwe y'iyakirwa*ry'ubusabe bw'iburanisha*) n'igihe cyo gukemura ikibazo (mu minsi 30 isanzwe y'iyakirwa ry'*ubusabe*) kikongera kigatangirira ku itariki yavuguruwe*ubusabe bw'iburanisha*butanzweho.

Igisubizo cy'Ikigo Gishinzwe uburezi muri Ako gace (LEA) cyangwa SAU ku busabe bw'iburanisha ry'ikirego cy'uburenganzira butubahirijwe

Iyo SAU itakohereje imenyesha ry'ibanze, nk'uko bisobanurwa mu mutwe wa**Imenyesha ry'ibanze mu buryo bw'inyandiko**, rirebana n'ikiregerwa kiri mu busabe bwawe bw'*iburanisha ry'ikirego cy'uburenganzira butubahirijwe*, SAU igomba, mu minsi 10 isanzwe y'iyakirwa ry'ubusabe bw'*iburanisha ry'ikirego cy'uburenganzira butubahirijwe*, kuyohereza igisubizo kirimo:

1. Ibisobanuro by'impamvu SAU yemeje ko habaho cyangwa yanze gufata icyemezo cyavuzwe mu busabe bw'*iburanisha ry'ikirego cy'uburenganzira butubahirijwe*;
2. Gusobanura ubundi buryo ubwo aribwo bwose Itsinda rishinzwe gahunda y'uburezi bwihariye (IEP) y'umwana wawe ryizeho ndetse n'impamvu ubwo buryo bwanzwe;
3. Gusobanura buri nzira y'isuzuma bumenyi, isuzuma, n'impapuro z'amakuru, cyangwa raporo ya SAU yakoreshejwe nk'iyashingiweho ku mwanzuro wemejwe cyangwa wanzwe; **no**
4. Gusobanura izindi mpamvu zifite aho zihuriye n'icyemezo cya SAU cyafashwe cyangwa cyanzwe.

Gutanga amakuru mu ngingo za 1-4 ziri hejuru ntibibuza SAU kwemera ko ubusabe bw'*iburanisha ry'ikirego cy'uburenganzira butubahirijwe* butari bwuzuye.

Igisubizo cy'urundi ruhande ku busabe bw'iburanisha ry'ikirego cy'uburenganzira butubahirijwe

Uretse uko byavuzwe mu mutwe muto uri haruguru neza neza, **Igisubuzo cy'Ikigo Gishinzwe uburezi muri Ako gace (LEA) cyangwa cya SAU ku busabe bw'iburanisha ry'ikirego cy'uburenganzira butubahirijwe**, uruhande ruhabwa ubusabe bw'*iburanisha ry'ikirego cy'uburenganzira butubahirijwe*rugomba, mu minsi icumi y'iyakirwa *ry'ubusabe*, kohereza urundi ruhande igisubizo kivuga ku buryo bwihariye ibibazo biri mu *busabe bw'iburanisha ry'ikirego cy'uburenganzira butubahirijwe*.

Amafishi yifashishwa

34 CFR §300.509

Ikigo cya leta gishinzwe uburezi kigomba gutegura amafishi yifashishwa yo kugufasha gutanga ubusabe bw’*iburanisha ry'ikirego cy'uburenganzira butubahirijwe*ndetse n’ikirego kiregerwa Leta. Nyamara, Leta ubarizwamo cyangwa SAU bashobora kutagusaba gukoresha ayo mafishi yifashishwa. Muri make, ushobora gukoresha iyi fishi cyangwa ubundi buryo bukwiye, igihe cyose irimo amakuru asabwa yo kuzuza ubusabe bw’*iburanisha ry’ikirego cy’uburenganzira butubahirijwe* cyangwa ikirego kiregerwa Leta.

Ubuhuza

34 CFR §300.506

Rusange

SAU igomba gukora ku buryo ubuhuza butangwa kugira ngo bigufashe wowe na SAU gukemura ukutumvikana kurimo ikibazo icyo ari cyo cyose kivugwa mu Gice cya B cya IDEA, harimo ibibabazo bituruka ku itangwa rya mbere ry’ubusabe bw’*iburanisha ry'ikirego cy'uburenganzira butubahirijwe*. Bityo, ubuhuza butangwa kugira ngo bukemure amakimbirane avugwa mu Gice cya B cya IDEA, waba waratanze cyangwa utaratanze ubusabe bw’*iburanisha ry'ikirego cy'uburenganzira butubahirijwe*kugira ngo hasabweiburanisha ry'ikirego cy'uburenganzira butubahirijwe nk’uko byasobanuwe mu mutwe wa**Itangwa ry’Ubusabe bw’iburanisha ry’ikirego cy’uburenganzira butubahirijwe.**

Ibisabwa

Imiburanishirize igomba gukora ku buryo inzira y’ubuhuza:

1. Ari ubushake ku ruhande rwawe no ku ruhande rwa SAU;
2. Butakoreshejwe mu kukwima cyangwa gutinza uburenganzira bwawe bw’iburanisha ry'ikirego cy'uburenganzira butubahirijwe, cyangwa kukwima uburenganzira ubwo aribwo bwose wemerewe buteganywa mu Gice cya B cya IDEA;**kandi**
3. Bwakozwe n’umuhuza ubufitiye ubushobozi kandi utabogamye wahuguwe kuri tekikini zitanga umusaruro z’ubuhuza.

SAU ishobora gutegura inzira ziha ababyeyi n’ibigo bihitamo kutifashisha inzira y’ubuhuza, amahirwe yo guhura, mu gihe n’ahantu habereye, n’umuntu utabifitemo inyungu:

1. Ufitanye amasezerano n’urundi rwego rukwiye rushinzwe ikemurwa ry’amakimbirane, cyangwa ikigo gishinzwe guhugura ababyeyi no kubaha amakuru cyangwa ikindi kigo gifasha ababyeyi kubona amakuru muri Leta; **kandi**
2. Wasobanura ibyiza akagunashishikariza ikoreshwa ry’inzira y’ubuhuza.

Leta igomba kuba ifite urutonde rw’abahuza babifiteye ubushobozi kandi bazi amategeko n’amabwiriza yerekeye itangwa ry’uburezi bwihariye na serivisi zijyanye nabwo. Ikigo cya Leta gishinzwe uburezi kigomba gutoranya abahuza bishingiye kuri tombora, basimburana cyangwa ubundi buryo butabogama. Leta ifite inshingano zo kwishyura ikiguzi cy’igikorwacy’ubuhuza, harimo ikiguzi cy’inama. Buri nama y’igikorwa cy’ubuhuza igomba gutegurwa mu gihe cyagenywe kandi ikabera ahantu hakubereye wowe na SAU.

Iyo wowe na SAU mukemuye amakimbirane biciye mu gikorwa cy’ubuhuza, impande zombi zigirana amasezerano zisabwa kubahiriza asobanura imikemurire y’ikibazo kandi:

1. Avuga ko ibiganiro byose byabaye mu gihe cy’ubuhuza bizaguma kugirwa ibanga kandi ko bitazakoreshwa nk’ikimenyetso cy’iburanisha ry'ikirego cy'uburenganzira butubahirijwe cyazakurikiraho cyangwa urubanza mbonezamubano; **ndetse**
2. Agashyirwaho umukono nawe hamwe n’uhagarariye SAU ufite ububasha bwo guteka SAU.

Amasezerano y’ubuhuza yanditse, agashyirwaho umukono yubahirizwa mu Rukiko rwa Leta urwo arirwo rwose rufite ububasha bwo kuburanisha (urukiko rufite ububasha bwo kuburanisha bene uru rubanza hashingiwe ku mategeko ya Leta) cyangwa mu rukiko rw’akarere ka Leta zunze ubumwe za Amerika. *(Reba Icyiciro XVI(3)(B)(9)cy’iri tegeko)*
Ibiganiro byabaye mu gihe cy’ubuhuza bigomba kugirwa ibanga. Ntibishobora gukoreshwa nk’ikimenyetso mu iburanisha ry'ikirego cy'uburenganzira butubahirijwe cyazabaho cyangwa urubanza rw’imbonezamubano rwo mu rukiko urwo arirwo rwose rwa Leta zunze ubumwe za Amerika cyangwa Urukiko rwa Leta rwa Leta ihabwa ubufasha buteganywa mu Gice cya B cya IDEA.

Ukutabogama k’umuhuza

Umuhuza:

1. Ntagomba kuba umukozi w’Ikigo cya Leta gishinzwe Uburezi cyangwa SAU ugira aho ahurira n’uburezi cyangwa kwita ku bana; **kandi**
2. Ntagomba kuba afite inyungu bwite cyangwa zijyanye n’umwuga zagongana n’intego y’umuhuza.

Umuntu wemerewe kuba umuhuza ntaba ari umukozi wa SAU cyangwa Ikigo cya Leta kubera gusa ko yishyurwa n’ikigo cyangwa na SAU kugira ngo akore nk’umuhuza.

Uburanira abandi ashobora guhagararira Ishami ry’Ubuyobozi ry’Ikigo mu gihe gusa hari uburanira abandi mu mategeko uhagarariye ababyeyi. Avoka uhagarariye umubyeyi aha umuyobozi w’Ishami ry’Ubuyobozi ry’Ikigo n’Ibiro bishinzwe Iburanisha ry’ibirego by’uburenganzira butubahirijwe by’Ishami rishinzwe Uburezi muri Maine imenyesha ry’ibanze ry’iminsi 7 byibuze mbere y’ubuhuza avuga ko azahagararira umubyeyi mu buhuza. Impande zombi zishobora kugisha inama abazihagarariye mbere na nyuma yo kujya mu buhuza.

Iyo impande zombi zibyemeranyijeho, izo mpande zombi zishobora gushyira umukono ku ikomorerwa ry’imenyesha ry’iminsi 7 ry’ukwitabira ubuhuza k’uburanira umubyeyi mu buhuza. Kopi yo gukomorerwa yashizweho umukono igomba guhabwa Ibiro bishinzwe iburanisha ry’Ibirego by’uburenganzira butubahirijwe by’Ishami rishinzwe Uburezi

Iyo umubyeyi adahisemo kwitabira ubuhuza umubyeyi ashobora guhamagarwa n’umujyanama mu iburanisha ry’ibirego by’uburenganzira butubahirijwe wo mu Ishami rishinzwe Uburezi muri Maine uganira n’umubyeyi ibijyanye n’ibyiza by’ubuhuza. Iyo umubyeyi ashaka gusaba ubuhuza cyangwa ashaka kumenya andi makuru ajyanye n’ubuhuza, umubyeyi ashobora kwandikira cyangwa guhamagara Ibiro bishinzwe Iburanisha ry’ibirego by’uburenganzira butubahirijwe by’Ishami rishinzwe Uburezi muri Maine kuri 624-6644.

Itangwa ry'imyanya mu ishuri*mu gihe hagitegerejwe Ubujurire("Stay Put")*
34 CFR §300.518

Keretse nk'uko biteganyijwe mu mutwe wa **IBIKURIKIZWA IGIHE HAHANWA UMWANA UFITE UBUMUGA,** *igihe hagitegerejwe ubuhuza cyangwa Ubusabe bw'iperereza ku kirego kiregerwa Leta, cyangwa*igihe ubusabe bw'*iburanisha ry'ikirego cy'uburenganzira butubahirijwe* ryoherererejwe urundi ruhande n'igihe hagitegerejwe icyemezo cy'iburanisha ry'ikirego cy'uburenganzira butubahirijwe iryo ari ryo ryose ritabogamye cyangwa urubanza rwo mu rukiko, umwana wawe agomba kuguma mu mwanya yahawe ku ishuri keretse wowe na Leta cyangwa SAU mubyemeranyije ukundi,

Iyo mu busabe bw'*iburanisha ry'ikirego cy'uburenganzira butubahirijwe* harimo gusaba kwemererwa kwakirwa n'ikigo cya leta, umwana, wabitangiye uburenganzira agomba gushyirwa muri gahunda isanzwe y'amashuri ya leta kugeza izo manza zirangiye.

Iyo ubusabe bw'*iburanisha ry'ikirego cy'uburenganzira butubahirijwe* burimo gusaba guhabwa serivisi z'ibanze zivugwa mu Gice cya B cya IDEA ku mwana uri guhindura areka gufashwa hashingiwe ku biteganywa n'Igice cya C cya IDEA ajya ku Gice cya B cya IDEA kandi atacyemerewe serivisi ziteganywa mu Gice cya C kubera ko yamaze kuzuza imyaka itatu, SAU ntiba isabwa gutanga serivisi zo mu gice cya C uwo mwana aba yari asanzwe ahabwa. Iyo umwana basanze yemerewe ibiteganywa n'Igice cya B cya IDEA kandi ugatanga uburenganzira ko umwana wawe ahabwa serivisi z'uburezi bwihariye n'izindi serivisi zijyanye na bwo ku nshuro ya mbere, hanyuma, mu gihe hagitegerejwe ibizava mu iburanisha, SAU igomba gutanga uburezi bwihariye na serivisi zijyanye nabwo zitari kuburanwaho (izo wowe na SAU mwemeranywaho mwembi).

Uburyo bwo gukemura amakimbirane
34 CFR §300.510

Inama yo gukemura amakimbirane

Mu minsi 15 isanzwe wakiriye imenyesha ry'ubusabe bw'*iburanisha ry'ikirego cy'uburenganzira butubahirijwe*, na mbere y'uko iburanisha ry'ikirego cy'uburenganzira butubahirijwe, SAU igomba guhamagaza inama iguhuza n'umuntu w'igenzi cyangwa abantu bagize itsinda rishinzwe gahunda y'imyigire yihariye y'abafite ubumuga (IEP) bafite ubumenyi bwihariye ku ngingo zagaragaye mu busabe bw'*iburanisha ry'ikirego cy'uburenganzira butubahirijwe*. Inama:

1. Igomba kuba irimo uhagarariye SAU ufite ububasha bwo gufata ibyemezo mu izina rya SAU; **kandi**
2. Ntishobora kuba irimo uburanira SAU keretse na we uherekejwe n'ukuburanira. Wowe na

SAU mushobora kwemeza abantu b'ingenzi bo mu itsinda rya IEP bagomba kwitabira inama.
Intego y'inama ni uko muganira ku busabe bw'*iburanisha ry'ikirego cy'uburenganzira butubahirijwe*,n'ingingo zigize *ubusabe bw'iburanisha*, kugira ngo SAU ibashe kugira amahirwe yo gukemura amakimbirane.
Inama yo gukemura amakimbirane ntiba ari ngombwa iyo:

1. Wowe na SAU mwemeranywa ku ikomorerwa ku nama; **cyangwa**

2. Wowe na SAU mwemeranywa ku kwifashisha inzira y’ubuhuza, nk’uko bisobanurwa mu mutwe wa
   Ubuhuza. **Igihe cyo gukemura amakimbirane**

Iyo SAU itashoboye gukemura ubusabe bw’iburanisha ry'ikirego cy'uburenganzira butubahirijwe uko ubyumva mu minsi 30 isanzwe y’iyakirwa ry’*ubusabe bw’iburanisha*(mu gihe cyo gukemura amakimbirane), hashobora kubaho iburanisha ry'ikirego cy'uburenganzira butubahirijwe.

Igihe ntarengwa cy’iminsi 45 cyo gutanga icyemezo cya nyuma gitangira iminsi 30 isanzwe y’ikemurwa ry’amakimbirane, harimo imyihariko ku mpinduka zikorwa ku minsi 30 isanzwe y’icyemurwa ry’amakimbirane, nk’uko byasobanuwe hano hasi.

Usibye aho wowe na SAU mwemeranyijwe gukomorerana ku icyemurwa ry’amakimbirane cyangwa gukoresha ubuhuza, kunanirwa kwitabira inama yo gukemura amakimbirane bitinza amatariki ntarengwa y’ikemurwa ry’ikibazo ndetse n’iburanisha ry'ikirego cy'uburenganzira butubahirijwe kugeza igihe wemereye kwitabira inama.

Iyo nyuma yo kugerageza ibishoboka byose no gushyira mu nyandiko ibyo bikorwa byageragejwe, SAU ntishobore kukubona ngo witabire inama yo gukemura amakimbirane, SAU ishobora, nyuma y’iminsi 30 isanzwe y’icyemurwa ry’amakimbirane, gusaba ko umukozi ushinzwe iburanisha atesha agaciro abusabe bw’*iburanisha ry'ikirego cy'uburenganzira butubahirijwe*.
Gushyira mu nyandiko ibyo bikorwa byageragejwe bigomba kubamo kubika amakuru y’uko SAU yagerageje kubitegura mu gihe cyumvikanyweho n’ahantu, nka:

1. Amakuru ku buryo burambuye ya telefoni zahamagawe cyangwa zageragejwe n’ibyavuye muri uko guhamagara;
2. Kopi z’inyandiko zo kwandikirana wohererejwe n’ibyo wasubijwe; na
3. Amakuru ku buryo burambuye y’amasura ry’urugo cyangwa aho akora ndetse n’ibyavuye muri ayo masura.

Iyo SAU idashoboye gukora inama yo gukemura amakimbirane mu minsi 15 isanzwe y’iyakirwa ry’*iburanisha ry'ikirego cy'uburenganzira butubahirijwe* cyangwa ikananirwa kwitabira inama y’icyemurwa ry’amakimbirane, ushobora gusaba umukozi ushinzwe iburanisha gutegeka ko itariki ntarengwa y’iminsi 45 isanzwe y’iburanisha ry'ikirego cy'uburenganzira butubahirijwe itangira gukurikizwa.

Impinduka ku minsi 30 isanzwe y’icyemurwa ry’amakimbirane

Iyo wowe na SAU mwemeranyijwe gukomorera inama yo gukemuriramo ikibazo, ubwo itariki ntarengwa y’iminsi 45 isanzwe y’iburanisha ry'ikirego cy'uburenganzira butubahirijwe itangira gukurikizwa ku munsi ukurikiraho.
Nyuma y’uko inama y’ubuhuza cyangwa yo gukemuriramo amakimbirane itangiye na mbere y’irangira ry’iminsi 30 isanzwe yo gukemuriramo ikibazo, iyo wowe cyangwa SAU mwemeranyije mu nyandiko ko ubwumvikane budashoboka, ubwo itariki ntarengwa y’iminsi 45 isanzwe y’iburanisha ry'ikirego cy'uburenganzira butubahirijwe itangira gukurikizwa ku munsi ukurikiraho.
Iyo wowe na SAU mwemeranyije gukoresha inzira y’ubuhuza, igihe iminsi 30 isanzwe yo gukemuriramo ikibazo irangiye, impamvu zombi zishobora kwemeranywa gukomeza ubuhuza kugeza igihe ubwumvikane bugereweho. Nyamara, iyo wowe cyangwa SAU mwivanye mu nzira y’ubuhuza, ubwo itariki ntarengwa y’iminsi 45 isanzwe y’iburanisha ry'ikirego cy'uburenganzira butubahirijwe itangira gukurikizwa ku munsi ukurikiraho.

Amasezerano y'ubwumvikane bwo gukemura amakimbirane yanditse

Iyo ikemurwa ry'amakimbirane rigezweho mu nama yo gukemuriramo amakimbirane, wowe na SAU mugomba kugira amasezerano ategeka buri wese kuyakurikiza ateye kuri ubu buryo:

1. Yashyizweho umukono nawe hamwe n'uhagarariye SAU ufite ububasha bwo gutegeka SAU; **kandi**
2. Yubahirizwa mu Rukiko rwa Leta urwo arirwo rwose rufite ububasha bwo kuburanisha (urukiko rufite ububasha bwo kuburanisha bene uru rubanza) cyangwa mu rukiko rw'ifasi rwa Leta zunze ubumwe za Amerika. (Reba Icyiciro cya XVI(11)(F))

Igihe cyo gusuzuma amasezerano

Iyo wowe cyangwa SAU mugiranye amasezerano biturutse ku nama ikemurirwamo ikibazo, uruhande urwo ari rwo rwose(wowe cyangwa SAU) mushobora gutesha agaciro amasezerano mu minsi 3 y'akazi y'igihe wowe cyangwa SAU mwashyiriye umukono ku masezerano.

Amaburanisha *y'Ubusabe bw'iburanisha ry'ikirego cy'uburenganzira butubahirijwe*

Ubusabe bw'iburanisha ry'ikirego cy'uburenganzira butubahirijwe butabogamye

34 CFR §300.511

Rusange

Igihe cyose hatanzwe ubusabe bw'*iburanisha ry'ikirego cy'uburenganzira butubahirijwe*, wowe cyangwa SAU ivugwa mu kibazo cy'amakimbirane mugomba kugira amahirwe ku busabe bw'iburanisha ry'ikirego cy'uburenganzira butubahirijwe nk'uko bisobanurwa mu Busabe bw'**iburanisha ry'ikirego cy'uburenganzira butubahirijwe**na**Igice**cy'Inzira z'ikemurwa.

Umukozi ushinzwe iburanisha ritabogamye

Byibuze, umukozi ushinzwe iburanisha:

1. Ntagomba kuba umukozi w'Ikigo cya Leta gishinzwe Uburezi cyangwa SAU ugira aho ahurira n'uburezi cyangwa kwita ku mwana. Nyamara, umuntu ntaba ari umukozi w'ikigo gusa kubera ko yishyurwa n'ikigo kugira ngo akore akazi k'umukozi ushinzwe iburanisha;
2. Ntagomba kuba afite inyungu bwite cyangwa zijyanye n'umwuga zagongana n'intego y'umukozi ushinzwe iburanisha mu rubanza;
3. Agomba kuba afite ubumenyi kandi asobanukiwe ibiteganywa na IDEA, ndetse n'amabwiriza y'Igihugu na Leta ajyanye na IDEA, ndetse n'igisobanuro cyo mu rwego rw'amategeko cya IDEA gitangwa n'inkiko z'Igihugu ndetse n'inkiko za Leta; **ndetse**
4. Agomba kuba afite ubumenyi n'ubushobozi bwo gukora amaburanisha, ndetse no gufata no kwandika imyanzuro, bihwanye n'imigenzereze ikwiye, ijyanye n'amategeko.

Buri SAU igomba kubika urutonde rwabo bantu bakora nk'abakozi bashinzwe iburanisha rurimo inyandiko isobanura ubushobozi bwa buri mukozi ushinzwe iburanisha.

Ikiregerwa mu iburanisha ry'ikirego cy'uburenganzira butubahirijwe

Uruhande (wowe cyangwa SAU) rusabye ko habaho iburanisha ry'ikirego cy'uburenganzira butubahirijwe ntirushobora kugira ibibazo ruzamura mu iburanisha ry'ikirego cy'uburenganzira butubahirijwe bitigeze bivugwaho mu busabe bw’*iburanisha ry'ikirego cy'uburenganzira butubahirijwe*, keretse urundi rubyemeye.

Itariki ntarengwa zo gusaba iburanisha

Wowe cyangwa SAU mugomba gusaba *iburanisha ry'ikirego cy'uburenganzira butubahirijwe* ritabogamye mu myaka ibiri wowe cyangwa SAU mwamenyeyeho cyangwa mwakagombye kuba mwaramenyeho ikibazo cyavuzwe mu*busabe bw’iburanisha*.

Amarengayobora ku bihe ntarengwa

Igihe ntarengwa cyavuzwe haruguru ntigikurikizwa kuri wowe iyo udashoboye gutanga ubusabe*bw’iburanisha ry’ikirego cy’uburenganzira butubahirijwe* kubera ko:

1. SAU yabeshye ku buryo bwihariye ko yakemuye ikibazo cyangwa ikirego wazamuye mu *busabe bwawe bw’iburanisha*; **cyangwa**
2. SAU yarafatiriye amakuru watanze yasabwaga kuguha nk’uko biteganywa mu Gice cya B cya IDEA.

Uburenganzira bw’iburanisha
34 CFR §300.512

Rusange

Uruhande ruvugwa mu iburanisha ry'ikirego cy'uburenganzira butubahirijwe (harimo iburanisha ryerekeye ibihano) ruba rufite uburenganzira bwo:

1. Guherekezwa no kugirwa inama n’umunyamategeko na/cyangwa abantu bafite ubumenyi bwihariye cyangwa imyitozo yerekeye ibibazo by’abana bafite ubumuga;
2. Gutanga ibimenyetso no guhangana, gusuzuma, no gusaba ko abatangabuhamya bittabira iburanisha;
3. Kwirinda ko habaho itangwa ry’ibimenyetso mu iburanisha biba bitarigeze gutangarizwa urwo ruhande byibuze mu minsi itanu mbere y’iburanisha;
4. Guhabwa amakuru abitse y’iburanisha mu buryo bw’inyandiko, cyangwa wabishaka, ku buryo bw’ikoranabuhanga, cyangwa abitse mu buryo bw’amajwi; **na**
5. Guhabwa ibyavuye mu ngingo z’ibimenyetso byanditse n’imyanzuro, cyangwa wabishaka, ku buryo bw’ikoranabuhanga. Irindi tangazwa ry’amakuru

Byibuze mu minsi itanu ibanziriza iburanisha ry'ikirego cy'uburenganzira butubahirijwe, wowe cyangwa SAU mugomba gutangarizanya andi masuzuma bumenyi yakozwe kugeza iyo tariki n’ibyemezo by’inama bishingiye kuri ayo masuzuma bumenyi wowe cyangwa SAU iteganya gukoresha muri iryo buranisha.

Umukozi ushinzwe iburanisha ashobora kubuza uruhande rwananiwe kuzuza iyi ngingo isabwa mu gutangiza irindi suzuma bumenyi cyangwa inama y’icyakorwa mu iburanisha atabiherewe uburenganzira n’urundi ruhande.

Uburenganzira bw'umubyeyi mu iburanisha

Ugomba guhabwa uburenganzira bwo:

1. Kuba wazana umwana wawe;
2. Kureka urubanza rukabera mu ruhame; **no**
3. Guhabwa inyandiko z'iburanisha, ibyavuye mu ngingo z'ibimenyetso n'ibyemezo nta kiguzi.

Ibyemezo by'iburanisha
34 CFR §300.513

Icyemezo cy'umukozi ushinzwe iburanisha

Icyemezo cy'umukozi ushinzwe iburanisha ku kuba umwana wawe*(ukivuka kugeza ku ufite imyaka 2)* yarahawe*serivisi zikwiye cyangwa (ufite imyaka 3 kugeza kuri 20) yarahawe* uburezi rusange bukwiye kandi butishyurwa (FAPE) kigomba kuba gishingiye ku ngingo zumvikana.

Mu bibazo biregera ko habayeho kutubahiriza uburyo iburanisha rikorwamo, umukozi ushinzwe ashobora gusanga umwana wawe atarahawe *serivisi zikwiriye cyangwa* FAPE iyo gusa ibitaragenze neza mu iburanisha:

1. Byagize ingaruka ku burenganzira bw'umwana wawe*bwo guhabwa serivisi zikwiriye cyangwa*uburezi rusange bukwiye kandi butishyurwa;
2. Byagize ingaruka nyinshi ku mahirwe yawe yo kwitabira igikorwacy'ifatwa ry'ibyemezo bijyanye n'itangwa rya *serivisi zikwiriye cyangwa* uburezi rusange bukwiye kandi butishyurwa(FAPE) ku mwana wawe; **cyangwa**
3. Byateje kugira ibyo ugenerwa mu rwego rw'uburezi udahabwa.

Imenyesha ry'Icyemezo ndakuka
Buri cyemezo gifatwa uko buri burana rirangiye hashingiwe kuri iri tegeko gishyirwa mu nyadiko kandi kikaba kirimo ibyavuye mu ngingo z'ibimenyetso bihagije kugira ngo bimenyeshe umuburanyi n'undi wese ubishaka ishingiro ry'icyemezo.

Ingingo zerekeye imyubakire

Nta na zimwe mu ngingo zateganyijwe zavuzwe hejuru zishobora gusobanurwa mu buryo zibuza umukozi ushinzwe iburanisha gutegeka SAU gukurikiza ibasabwa n'icyiciro cy'Amategeko arengera umuntu cy'Amabwiriza y'igihugu avugwa mu gice cya B cya IDEA (34 CFR §§300.500 kugeza kuri 300.536).

Ubusabe butandkanye bw'iburanisha ry'ikirego cy'uburenganzira butubahirijwe

Nta kintu kiri mu cyiciro cy'amategeko arengera umuntu mu rubanza cy'amabwiriza y'Igihugu ateganywa mu Gice cya B cya IDEA (34 CFR §§300.500 kugeza kuri 300.536) ishobora gusobanurwa ku buryo yakubuza gutanga

ubusabe bw'*iburanisha ry'ikirego cy'uburenganzira butubahirijwe* ku kibazo gitandukanye n'ubusabe bw'*iburanisha ry'ikirego cy'uburenganzira butubahirijwe* cyamaze gutangwa.

Ibyavuye mu iperereza n'icyemezo bigenewe akanama ngishwanama na rubanda

Ikigo cya Leta gishinzwe uburezi cyangwa SAU, (icyo aricyo cyose kiba cyaratumye ujya mu manza) nyuma yo gusiba amakuru ayo ariyo yose aranga umuntu, kigomba:

1. Gutanga ibyavuye mu iperereza ndetse n'ibyemezo mu iburanisha ry'ikirego cy'uburenganzira butubahirijwe cyangwa ubujurire ku kanama ngishwanama ka Leta gashinzwe Uburezi bwihariye; **na**
2. Kugaragariza rubanda ibyavuye mu iperereza ndetse n'ibyemezo

Ubujurire

Kuba burundu kw'icyemezo; Ubujurire

34 CFR §300.514

Kuba burundu kw'icyemezo cy'iburanisha

Icyemezo cyafatiwe mu iburanisha ry'ikirego cy'uburenganzira butubahirijwe (harimo iburanisha ry'imanza zerekeye ibihano) *kigomba kuba mu nyandiko kandi* kiba ari ndakuka, usibye ko umuburanyi uwo ariwe wese uri mu rubanza (wowe cyangwa SAU) ashobora kujuririra icyemezo atanga ikirego cy'imbonezamubano, nk'uko byasobanuwe hasi.

Ibihe ntarengwa n'ibihe bikwiye by'Amaburanisha no Gusubiramo

34 CFR §300.515

Ikigo cya Leta gishinzwe uburezi gikora ku buryo bitarenze iminsi 45 isanzwe nyuma y'irangira ry'iminsi 30 isanzwe y'inama zo gukemura amakimbirane **cyangwa**, nk'uko byasobanuwe mu mutwe muto **Impinduka ku minsi 30 isanzwe y'icyemurwa ry'amakimbirane,** bitarenze iminsi 45 isanzwe nyuma y'irangira ry'impinduka zabaye ku gihe:

1. Icyemezo ndakuka cyafashwe mu iburanisha; **ndetse**
2. Kopi y'icyemezo ikoreherezwa buri muburanyi ku iposita.

Umukozi ushinzwe iburanisha ashobora gutanga ikindi gihe cy'inyongera kirenga ku minsi 45 cyasobanuwe hejuru abisabwe n'umuburanyi uwo ariwe wese.

Buri buranisha riba rigomba kubera igihe n'ahantu ubona ko hakwiye ndetse hanakwiye umwana wawe.

Ikirego cy’imbonezamubano, Harimo igihe ugomba Gutangira Bene ibyo birego 34 CFR §300.516

Rusange

Umuburanyi uwo ari we wese (wose cyangwa SAU) utemeranywa n’ibyavuye mu iperereza n’icyemo cy’iburanisha ry'ikirego cy'uburenganzira butubahirijwe (harimo iburanisha ry’imanza zijyanye n’itangwa ry’ibihano) afite uburenganzira bwo gutanga ikirego cy’imbonezamubano agendeye ku kibazo cyavuzwe mu iburanisha ry'ikirego cy'uburenganzira butubahirijwe. Icyo kirego gishobora kuregerwa Urukiko rwa Leta urwo arirwo rwose rufite ububasha bwo kuburanisha (Urukiko rwa Leta rufite ububasha bwo kuburanisha bene uru rubanza) cyangwa mu rukiko rw’ifasiya Leta zunze ubumwe za Amerika hatitawe ku bukana bw’amakimbirane.

Iyo umubyeyi afite ikibazo icyo aricyo cyose kijyanye n’iki kintu gisabwa, agomba guhita yoherezwa ku Biro bishinzwe Iburanisha ry’ibirego by’uburenganzira butubahirijwe by’Ishami rishinzwe Uburezi muri Maine kuri 624-6644.

Kutarenza igihe

Umuburanyi (wowe cyangwa SAU) urega aba afite *iminsi 90 kuva hakiriwe* icyemezo cy’umukozi ushinzwe iburanisha kugira ngo atange ikirego cy’imbonezamubano.

Indi miburanishirize

Mu rubanza rw’imbonezamubano urwo ari rwo rwose, urukiko:

A. Rwakira inyandiko z’imanza mbonezabutegetsi;

B. Rukaburanisha ku bindi bimenyetso rushingiye ku busabe bwawe cyangwa ku bwa SAU; **kandi**

C. Rugashingira ibyemezo byarwo ku bwiganze bw’ibimenyetso kandi rugatanga icyizere ko rufata icyemezo gikwiye.

Ububasha bw’inkiko z’ifasi

Inkiko z’ifasi za Leta zunze Ubumwe za Amerika ziba zifite ububasha bwo kuburanisha ibirego zaregewe hashigiwe ku Gice cya B cya IDEA hatitawe ku bwinshi bw’amakimbirane.

Itegeko rigenga imyubakire

Nta kintu cyo mu Gice cya B cya IDEA kibuza cyangwa kigakumira uburenganzira, imiburanishirize ndetse n’uburyo bwo gushakira umuti ikibazo buhari buteganywa n’Itegeko nshinga rya Leta zunze ubumwe za Amerika, Itegeko rirengera Abanyamerika bafite Ubumuga ryo muri 1990, Umutwe wa V w’Itegeko rikumira ivangura rishingiye ku bumuga ryo muri 1973 (Icyiciro cya 504), cyangwa andi mategeko ya Leta zunze ubumwe za Amerika arinda uburenganzira bw’abana bafite ubumuga, keretse ko mbere yo gutanga ikirego cy’imbonezamubano hashingiwe kuri ayo mategeko ushaka ingoboka ihari iteganywa mu Gice cya B cya IDEA, imanza z’ibirego by’uburenganzira butubahirijwe zasobanuwe hejuru zigomba kuburanywa zikarangira nk’uko byasabwa umuburanyi atanze ikirego ashingiye ku Gice cya B cya IDEA. Ibi bivuze ko ushobora kugira uburyo bwo gushakira umuti ikibazo buhari buteganywa n’andi mategeko yisumbuye ku ahari ateganywa na IDEA, ariko muri rusange, guhabwa ingoboka iteganywa n’ayo mategeko yandi, ugomba mbere na mbere gukoresha uburyo bwo gushakira umuti ikibazo bw’ubuyobozi buteganywa muri IDEA (ni ukuvuga: ubusabe bw’*iburanisha ry'ikirego cy'uburenganzira butubahirijwe*, inama yo gukemura amakimbirane, n’imanza z’iburanisha ry'ikirego cy'uburenganzira butubahirijwe zitabogamye) mbere yo guhita ugana inkiko.

Amafaranga ahabwa uhagararira abandi mu rubanza

34 CFR §300.517

Rusange

Muri buri kirego cyangwa urubanza rwaregewe hashingiwe ku Gice cya B cya IDEA, iyo utsinze, urukiko, mu bushobozi bwarwo, rushobora kuguha amafaranga runaka nk'igihembo cy'uhagarira abandi mu rubanza.

Muri buri kirego cyangwa urubanza rwaregewe hashingiwe ku Gice cya B cya IDEA, iyo utsinze, urukiko, mu bushobozi bwarwo, rushobora kuguha amafaranga runaka k'igihembo cy'uhagarira abandi mu rubanza nk'ikiguzi gihabwa Urwego rushinzwe uburezi rwatsinze cyangwa SAU, yishyurwa uguhagararira mu rubanza, iyo uhagararira abandi mu rubanza: (a) yatanze *ubusabe bw'iburanisha ry'ikirego cy'uburenganzira butubahirijwe* cyangwa urubanza rwo mu rukiko urukiko rubona ko rubeshya, rudakwiye cyangwa rudafite ishingiro; **cyangwa** (b) yakomeje kurega nyuma y'uko ikirego gihindutse rubeshya, kidakwiriye cyangwa kidafite ishingiro; **cyangwa**
Mu kirego icyo aricyo cyose cyangwa iburanisha ryatanzwe hashingiwe ku Gice cya B cya IDEA, urukiko, mu bubasha bwarwo, bushobora gutanga amafaranga akwiye ahabwa uburanira abandi nk'ibigize ibiguzi by'Ikigo cya Leta gishinzwe uburezi cyatsinze cyangwa SAU, wishyura cyangwa uguhagarariye, niba ku busabe bwawe bw'iburanisha ry'ikirego cy'uburenganzira butubahirijwe cyangwa urundi rubanza rwaratanzwe ku mpamvu zidakwiye, nko gushyira ku nkeke, gutera ubucyererwe budakenewe, cyangwa kongera ikiguzi ku buryo budakenewe bw'ikirego cyangwa urubanza.

Itangwa ry'amafaranga

Urukiko rutanga amafaranga akwiye ahabwa ababuranira abandi mu buryo bukurikira:

1. Amafaranga atangwa agomba kuba ashingiye ku biciro bigezweho mu gace ikirego cyangwa iburanisha ryabereyemo kuri izo serivisi nziza kandi zinoze zatanzwe. Nta duhimbazamusyi cyangwa gukubirwa bikorwa mu kubaraamafaranga atangwa.
2. Amafaranga ashobora gutangwa ndetse n'ibiguzi bijyanye nayo bishobora kudasubizwa mu kirego icyo aricyo cyose cyangwa urubanza ruteganywa mu Gice cya B cya IDEA kuri serivisi zakozwe nyuma y'uko usabwa mu yandiko gukemura ikibazo niba:
    a. Uko gusabwa kwarakozwe mu gihe giteganywa n'Itegeko 68 ry'Amategeko ya Leta zunze ubumwe za Amerika ryerekeye Imiburanishirize y'Imanza z'imbonezamubano cyangwa, igihe habayeho iburanisha ry'ikirego cy'uburenganzira butubahirijwe cyangwa isuzuma rikorerwa ku rwego rwa Leta, igihe icyo aricyo cyose kirenze iminsi 10 isanzwe mbere y'uko iburanisha ritangira,
    b. Ugusaba kutaremewe mu minsi 10 isanzwe; **kandi**
    c. Urukiko cyangwa umukozi ushinzwe iburanisha wo mu nzego z'ubuyobozi abonye ko kurenganurwa wahawe bitakiri byiza kurusha gusabwa gukemura ikibazo.

    Nubwo hariho izo mbogamizi, igihembo cy'amafaranga ahabwa uburanira abandi ndetse n'ibiguzi bijyanye nabyo bishobora kuguhabwa iyo watsinze kandi ukaba warabashije kwiregura ku buryo bwuzuye mu kureka ubusabe bwo gukemura ikibazo.
3. Amafaranga ashobora kudatangwa bijyanye n'inama iyo ariyo yose y'Itsinda rishinzwe gahunda y'uburezibwihariye (IEP) keretse inama yarakozwe nk'urubanza rwo mu buyobozi cyangwa mu kirego cyo mu rukiko.

Inama yo gukemura amakimbirane, nk'uko byasobanuwe mu mutwe wa **Inama yo gukemura amakimbirane**, ntifatwa nk'inama itumizwa nk'iburanisha ryo mu nzego z'ubuyobozi cyangwa ikirego cyo mu rukiko,

kandi ntifatwa nk'urubanza rwo mu buyobozi cyangwa ikirego cyo mu rukiko ku mpamvu z'ibiteganywa ku mafaranga yishyurwa uburanira abandi.

Urukiko rugabanya, uko bikwiye, ingano y'amafaranga ahembwa uburanira abandi ateganywa mu Gice cya B cya IDEA, iyo urukiko rusanze:

1. Wowe, cyangwa uguhagarariye, mu gihe ikirego cyatangwaga cyangwa urubanza, yarakerereje nta mpamvu ikemurwa rya burundu ry'amakimbirane;
2. Ingano y'amafaranga yishyurwa uburanira abandi yemerewe gutangwa arenze cyane igiciro cyishyurwa ku isaha gisanzwe gitangwa muri ako gace kuri serivisi nk'izo z'ababuranira abandi bafite ubumenyi nk'ubwo, kumenyekana n'ubunararibonye;
3. Igihe cyakoreshejwe na serivisi z'amategeko zatanzwe zari zikabije ugereranyije n'imiterere y'ikirego cyangwa urubanza; **cyangwa**
4. Avokauguhagarariye atarahaye SAU amakuru akwiye mu imenyesha risaba iburanisha ry'ikirego cy'uburenganzira butubahirijwe nk'uko byasobanuwe mu mutwe wa **Ubusabe bw'Iburanisha ry'ikirego cy'uburenganzira butubahirijwe**.

Nyamara, urukiko rushobora kugabanya ayo mafaranga iyo rusanze Leta cyangwa SAU byarakereje icyemurwa rya burundu ry'ikirego cyangwa urubanza cyangwa harabayeho kurenga ku mategeko biteganywa n'ibiteganywa n'Amategeko arengera umuntu y'Igice cya B cya IDEA.

Ibikurikizwa mu gutanga ibihano ku Bana bafite ubumuga

Ububasha bw'abakozi b'ikigo cy'amashuri

34 CFR §300.530

Gutanga umwanzuro w'urubanza rumwe rumwe

Abakozi b'ikigo cy'amashuri bashobora gutekereza ku mpamvu runaka bashingiye ku rubanza rumwe rumwe, igihe bemeza niba impinduka zijyanye n'umwanya w'umunyeshuri zabayeho, zarakozwe hagendewe ku bisabwa bikurikira bijyanye n'imyitwarire y'umunyeshuri, zikwiye ku mwana ufite ubumuga warenze ku mabwiriza ngengamyitwarire y'umunyeshuri.

Rusange

Mu buryo bafatamo bene ibyo byemezo ku banyeshuri badafite ubumuga, abakozi b'ikigo cy'amashuri bashobora, bitarenze **iminsi 10 y'amasomo**ikurikirana, kuvana umwana ufite ubumuga urenga ku mabwiriza ngengamyitwariye y'umuyeshuri mu mwanya we wo kwiga akamushyira ahandi hantu hamukwiriye ho kwigira ku buryo bw'agateganyo (hagomba kugenwa n'Itsinda rishinzwe gahunda y'uburezi yihariye (IEP) y'umwana, ahandi hantu, cyangwa kwirukanwa. Abakozi b'ikigo cy'amashuri kandi bashobora gushyiraho ukundi kwimurwa k'umwana kw'iminsi itarenze**10 y'amasomo**ikurikirana muri uwo mwaka w'amashuri ku bikorwa by'imyitwarire mibi bitandukanye, uko kwimurwa bipfa kuba bitagize guhindurirwa umwanya (Reba **Guhindurirwa umwanya w'aho wiga kubera kwimurwa ku mpamvu z'imyitwarire**kugira ngo umenye igisobanuro, hano hasi).

Igihe umwana ufite ubumuga yavanywe mu mwanya w'aho ari kwiga mu minsi yose **10 y'amasomo**muri uwo mwaka w'amashuri, SAU igomba, mu minsi iyo ariyo yose ikurikira uko kuvanwamo muri uwo mwaka w'amashuri, gutanga serivisi ku kigero gisabwa hano hasi mu mutwe muto wa**Serivisi**.

Ubundi bubasha

Iyo imyitwarire yo kurenga ku mabwiriza ngengamyitwarire y'umunyeshuri itari iyo kugaragaza ubumuga bw'umunyeshuri (reba**Kwemeza ubumuga bugaragazwa**, hano hasi) ndetse no guhindurira umwanya w'aho wiga kubera imyitwarire ntibyarenza**iminsi 10 y'amasomo**ikurikirana, abayobozi b'ikigo cy'amashuri bashobora gukoresha uburyo bukurikizwa mu itangwa ry'ibihano kuri uwo mwana ufite ubumuga mu buryo bumwe ndetse n'igihe bimara kimwe nk'uko byamera ku bana badafite ubumuga, keretse ko ikigo cy'ishuri kigomba gutanga serivisi kuri uwo mwana nk'uko byasonanuwe hano hasi muri**Serivisi**. Itsinda rya IEP ry'umwana rigena ahandi hantu ho kwigira ku buryo bw'agateganyo kuri bene izo serivisi.

Serivisi

Izo serivisi zigomba guhabwa umwana ufite ubumuga wavanywe mu mwanya yari yarashyizwemo wo kwigiramo ashobora guhabwa serivisi yo kwigira ahandi hantu ku buryo bw'agateganyo.
SAU iba isabwa gusa guha serivisi umwana wavanywe mu mwanya we wo ku ishuri mu gihe cy'iminsi**10 y'amasomo cyangwa iri munsi yayo**muri uwo mwaka w'amashuri, iyo izo serivisi iziha umwana udafite ubumuga wavanywemo mu buryo nk'ubwo.

Umwana ufite ubumuga uvanywe mu mwanya we wo ku ishuri**mu minsi irenga 10 y'amasomo**agomba:

1. Gukomeza guhabwa serivisi z'uburezi, kugira ngo bimufashe gukomeza kwitabira integanyanyigisho y'uburezi rusange, n'ubwo yaba yarashyizwe ahandi hantu ho kwigira, ndetse agakomeza gutera imbere agera ku ntego zashyizwe muri gahunda ya IEP y'umwana; **hamwe no**
2. Guhabwa, nk'uko bikwiye, Isuzuma ry'igitera imyitwarire igaragazwa na serivisi zo gufashwa mu myitwarire n'impinduka, ziba zarashyiriweho gukemura ibijyanye no kurenga ku mabwiriza y'imyitwarire kugira ngo bitongera kubaho.

Nyuma y'uko umwana ufite ubumuga avanywe mu mwanya we wo kwigiramo mu minsi yose **10 y'amasomo**muri uwo mwaka w'amashuri, kandi**niba** uko kwimurwa kumara**iminsi 10** ikurikirana cyangwa iri munsi**ndetse** niba uko kuvanwamo kutari guhindura umwanya wo kwigiramo (reba igisobanuro kiri hano hasi), **ubwo** umukozi w'ikigo cy'amashuri, amaze kugisha inama byibuze umwarimu we umwe, yemeza ikigero serivisi zikeneweho kugira ngo bifashe umwana gukomeza kwitabira integanyanyigisho y'uburezi rusange, n'ubwo yaba yarashyizwe ahandi hantu ho kwigira, ndetse agakomeza gutera imbere agera ku ntego zashyizwe muri gahunda ya IEP y'umwana. Iyo kuvanwamo ari uguhindura umwanya wo kwigiramo (reba igisobanuro kiri hano hasi), Itsinda rya IEP ryemeza serivisi zikwiye zifasha umwana gukomeza kwitabira integanyanyigisho y'uburezi rusange, nubwo yaba yarashyizwe ahandi hantu ho kwigira, ndetse agakomeza gutera imbere agera ku ntego zashyizwe muri gahunda ya IEP y'umwana.

Kwemeza ubuga bugaragazwa

Mu minsi**10 y'amasomo** y'icyemezo icyo aricyo cyose cyo guhindura umwanya wo kwigiramo yahawe kubera kunyuranya n'amabwiriza ngengamyitwarire y'umunyeshuri keretse gukurwamo kwaramaze **iminsi 10 y'amasomo**ikurikirana cyangwa iri munsi yayo bitari uguhindura umwanya wo kwigiramo) SAU, umubyeyi, n'abandi b'ingenzi bagize itsinda

rya IEP ry'umwana (nk'uko byemejwe n'umubyeyi na SAU) bagomba gusuzuma amakuru yose y'ingezi yo muri dosiye y'umwana, harimo gahunda ya IEP y'umwana, buri suzuma ryakozwe n'umwarimu, ndetse n'amakuru y'ingenzi yatanzwe n'ababyeyi kugira ngo hemezwe:

1. Niba imyitwarire ivugwa yaratewe na, cyangwa yari iiftanye isano ku buryo buziguye kandi rinini n'ubumuga bw'umwana; **cyangwa**
2. Niba imyitwarire ivugwa yari impamvu iziguye yo kunanirwa kwa SAU gushyira mu bikorwa IEP y'umwana.

Iyo SAU, umubyeyi, n'abandi bagize itsinda rya IEP ry'umwana bemeje ko kimwe muri ibyo bisabwa cyubahirijwe, imyitwarire igomba kwemezwa ko ari ukugaragaza ubumuga k'umwana.

Iyo SAU, umubyeyi, n'abandi bagize itsinda rya IEP ry'umwana bemeje ko imyitwarire ivugwa yatewe no kunanirwa kwa SAU gushyira mu bikorwa gahunda ya IEP, SAU igomba gufata ibyemezo by'uburyo bwo gushakira umuti ikibazo izo nenge.

Kwemeza ko imyitwarire yari ukugaragaza ubumuga k'umwana

Iyo SAU, umubyeyi, n'abandi bagize itsinda rya IEP ry'umwana bemeje ko ko imyitwarire yari ukugaragaza ubumuga k'umwana, itsinda rya IEP rigomba nibura:

1. Gukora isuzuma ry'igitera imyitwarire igaragazwa, keretse SAU yarakoze Isuzuma ry'igitera imyitwarire igaragazwa mbere y'uko imyitwarire yateye guhindura aho kwigira ibayeho, ndetse no gushyiraho gahunda yo gufashwa mu guhindura imyitwarire y'umwana; **cyangwa**
2. Igihe gahunda yo gufasha mu guhindura imyitwarire yamaze gutegurwa, suzuma gahunda yo gufashwa mu guhindura imyitwarire, ubundi uyihindure, uko bikwiye, kugira ngo ukemure ikibazo cy'iyo myitwarire.

Usibye uko byasobanuwe hano hasi mu mutwe muto wa**Impamvu zidasanzwe**, SAU igomba kugarura umwana mu mwanya yari yarashyizwemo wo kwigiramo yavanywemo, keretse umubyeyi n'ifasi y'amashuri bemeye guhindura umwanya wo kwigiramo nka kimwe mu ibigize guhindura gahunda igamije imyitwarire.

Impamvu zidasanzwe

Imyitwarire yaba yari ukugaragaza ubumuga k'umwana cyangwa atari byo, umukozi w'ikigo cy'amashuri ashobora kwimura umunyeshuri akamushyira ahandi hantu ho kwigira ku buryo bw'agateganyo (hemezwa n'Itsinda rya IEP ry'umwana) kugeza ku minsi 45 yo kwiga, niba umunyeshuri:

1. Agendana intwaro (reba igisobanuro kiri hano munsi) ku ishuri cyangwa afite intwaro ku ishuri, ku nyubako z'ishuri, cyangwa ku mirimo y'ikigo cy'ishuri ifitweho ububasha n'Ikigo cya leta gishinzwe uburezi cyangwa SAU;
2. Afite cyangwa akoresha ibiyobyabwenge kandi abizi (reba igisobanuro kiri hano hasi), cyangwa agurisha cyangwa asaba ibiyobyabwenge bigengwa n'amategeko, (reba igisobanuro kiri hano munsi), igihe ari mu kigo cy'amashuri, ari mu nyubako z'ikigo cy'amashuri, cyangwa ku mirimo y'ikigo cy'ishuri ifitweho ububasha n'Ikigo cya leta gishinzwe uburezi cyangwa SAU; **cyangwa**

3. Yarateje ibikomere bikabije ku mubiri (reba igisobanuro hano hasi) w'undi muntuari ku ishuri, ku nyubako z'ishuri, cyangwa ku mirimo y'ikigo cy'ishuri ifitweho ububasha n'Ikigo cya leta gishinzwe uburezi cyangwa SAU.

   Ibisobanuro by'amagambo

Ibiyobyabwenge bigengwa n'amategeko bivuze ikiyobyabwenge cyangwa indi miti igaragazwa mu mitwe ya I, II, III, IV, cyangwa V icyiciro cya 202(c) cy'Itegeko rigenga Ibiyobyabwenge bigengwa n'amategeko (21 U.S.C. 812(c)).

Ibiyobyabwenge bitemewe bivuga ibiyobyabwenge bigengwa n'amategeko; ariko ntibirimo ibiyobyabwenge bigengwa n'amategeko bitunzwe ku buryo bwemewe n'amategeko cyangwa bikoreshwa ku burenganzira bw'umuganga w'umwuga cyangwa bitunzwe ku buryo bwemewe n'amategeko cyangwa bigakoreshwa ku burenganzira butangwa n'urundi rwego ruteganywa n'iryo Tegeko cyangwa n'ibindi biteganywa n'Amategeko ya Leta zunze ubumwe za Amerika.

Ibikomere bikabije by'umubiri bifite igisobanuro cyahawe ijambo ''igikomere gikabije cy'umubiri'' mu gika
(3) cy'akiciro (h) k'icyiciro cya 1365 cy'umutwe wa 18, Itegeko rya Leta zunze za Amerika: *Igikomere cy'umubiri kirimo ingaruka nyinshi z'urupfu; ububabare bukomeye bw'umubiri; kwangirika k'umubiri igice gito no kugaragara; cyangwa kubura ibice bito cyangwa kumugara kw'ibice by'amaguru n'amaboko, ingingo cyangwa imikorere y'umutwe.*

Intwaro bifite igisobanuro kivugwa mu ijambo ''intwaro iteye ubwoba'' ivugwa mu gika cya (2) cy'ak'iciro ka (g) k'icyiciro cya 930 cy'umutwe wa 18, Itegeko rya Leta zunze ubumwe za Amerika: *Intwaro, igikoresho cy'ikoranabuhanga, igikoresho cyifashishwa mu mirimo, igikoresho, cyangwa imiti, gifite ubuzima cyangwa kidafite ubuzima, gikoreshwa, cyangwa cyahita kigira ubushobozi, gutera urupfu cyangwa igikomere gikabije cy'umubiri, keretse ko bene iryo jambo ritarimo icyuma gitwarwa mu mufuka gifite ubugi buri munsi ya inchi 2 ½ mu burebure.*

Imenyesha
Ku itariki yafatiyeho umwanzuro wo kuvana umwana aho yiga mu rwego rwo kumuhindurira aho kwigira kubera kunyuranya n'amabwiriza ngengamyitwarire y'umunyeshuri, SAU igomba kumenyesha ababyeyi iby'icyo cyemezo, igaha umubyeyi imenyesha ry'Amategeko arengera umuntu mu rubanza.

Guhindurirwa ahokwigirao kubera Kuhavanwa ku mpamvu z'imyitwarire 34 CFR §300.536

Kuvana umwana aho asanzwe asanzwe yigira **ni uguhindura aho kwigira**if:

1. Uko kuvanwamo kumara iminsi irenga 10 y'amasomo ikurikirana; **cyangwa**
2. Umwana yaragiye avanwa muri gahunda mu buryo bw'urukurikirane bigize igikorwa kubera:
   a. Urwo rukurikirane rwo kuvanwamo rufite iminsi irenga 10 yo mu mwaka w'amashuri;
   b. Imyitwarire y'umwana isa cyane n'imyitwarire y'umwana mu bihe byatambutse byateye kuvanwamo ku buryo bw'urukurikirane;
   c. Ku bw'izo mpamvu zindi nk'uburebure bw'igihe uko kuvanwamo kumara, igiteranyo cy'igihe cyose umwana yavanywemo, ndetse no kwegerana kw'ibihe byo kuvanwamo; **na**

Ndetse niba ikimenyetso cyo kuvanwamo kigize impinduka ku mwanya wo kwiga gifatwaho umwanzuro ku rubanza rumwe rumwe na SAU, iyo gitambamiwe, bisuzumwa mu rubanza rw'uburenganzira butubahirijwe ndetse n'imanza zo mu nkiko.

Gufata umwanzuro ku hantu

34 CFR § 300.531

Itsinda rishinzwe gahunda y’imyigire yihariye (IEP) rigomba kugena ahandi hantu ho kwigira by.**agateganyo**, ndetse no kuvanwamo kuvugwa mu mitwe ya **Ubundi bubasha** na **Impamvu zidasanzwe**, zavuzwe hejuru.

Ubujurire

34 CFR § 300.532

Rusange

Umubyeyi w’umwana ufite ubumuga ashobora gutanga ubusabe bw’*iburanisha ry'ikirego cy'uburenganzira butubahirijwe* (reba hejuru) kugira ngo usabe iburanisha ry'ikirego cy'uburenganzira butubahirijwe iyo atabyemeje:

1. Icyemezo icyo aricyo cyose kijyanye no guhabwa umwanya wo kwigiramo cyafashwe hashingiwe ku biteganywa n’amabwiriza ngengamyitwarire; **cyangwa**
2. Kwemeza ko imyitwarire yagaragajwe yatewe n’ubumuga byasobanuwe haruguru.

SAU ishobora gutanga ubusabe bw’*iburanisha ry'ikirego cy'uburenganzira butubahirijwe*(reba hejuru) kugira ngo isabe iburanisha ry'ikirego cy'uburenganzira butubahirijwe iyo yumva ko kugumisha umwana mu mwanya asanzwe yigiramo bishobora kumutera igikomere cyangwa bikagitera abandi.

Ubushobozi bw’umukozi ushinzwe iburanisha

Umukozi ushinzwe iburanisha wujuje ibisabwa byavuzwe mu mutwe muto wa **Umukozi ushinzwe iburanisha ritabogamye** agomba gukora iburanisha ry’ikirego cy’uburenganzira butubahirijwe ubundi agafata umwanzuro. Umukozi ushinzwe iburanisha ashobora:

1. Gusubiza umwana ufite ubumuga ahokwigirayari yaravanywemo iyo umuyobozi ushinzwe iburanisha yemeje ko kuvanwamo byari bigize kunyurana n’ibisabwa byasobanuwe mu mutwe wa **Ububasha bw’Umukozi w’ikigo cy’amashuri**, cyangwa ko imyitwarire y’umwana yari ukugaragaza ubumuga k’umwana; **cyangwa**
2. Gutegeka guhindura aho kwigirah’umwana ufite ubumuga agashyirwa ahandi hantu ho kwigira habereye mu minsi itarenze 45 niba umukozi ushinzwe iburanisha yaremeje ko kugumisha umwana mu mwanya asanzwe yigiramo bishobora kumutera igikomere cyangwa bikagitera abandi.

Izo manza z’iburanisha zishobora gusubirwamo, iyo SAU yumva ko kugarura umwana mu mwanya wa mbere yigiramo bishobora kumutera igikomere gikomeye cyangwa bikagitera abandi.
Igihe icyo aricyo cyose umubyeyi cyangwa SAU batanze ubusabe bw’*iburanisha ry'ikirego cy'uburenganzira butubahirijwe*kugira ngo basabe iburanisha, iburanisha rigomba gukorwa ni iryujuje ibisabwa byasobanuwe mu mutwe wa **Ubusabe bw’iburanisha ry'ikirego cy'uburenganzira butubahirijwe** keretse iyo bimeze uku gukurikira:

1. Ikigo cya Leta gishinzwe uburezi kigomba gutegura iburanisha ry'ikirego cy'uburenganzira butubahirijwe ryihutirwa, rigomba gukorwa mu minsi**20** y’amasomo uhereye ku itariki ryasabiweho kandi gufatwaho umwanzuro bigomba kubaho mu minsi**10** y’amasomo nyuma y’iburanisha.

2. Keretse iyo ababyeyi na SAU bemeranyijwe mu nyandiko gukomorera inama yo gukemuriramo ikibazo, cyangwa bakemeranywa inzira y’ubuhuza, inama y’ubuhuza iba igomba kuba mu minsi **irindwi** isanzwe uhereye igihe cyo kwakirwa kw’imenyesha ry’ubusabe bw’*iburanisha ry'ikirego cy'uburenganzira butubahirijwe*. Iburanisha rishobora gukomeza keretse iyo ikibazo cyakemuwe ku buryo bunogeye impande zombi mu minis **15** isanzwe uhereye igihe cyo kwakirwa kw’imenyesha ry’ubusabe bw’*iburanisha ry'ikirego cy'uburenganzira butubahirijwe*.
3. Leta ishobora gushyiraho amategeko menshi agenga iburanisha ku maburanisha y'ikirego cy'uburenganzira butubahirijwe yihutirwa kuruta uko yayashyizeho ku yandi maburanisha y'ikirego cy'uburenganzira butubahirijwe, ariko usibye ku matariki ntarengwa, ayo mategeko agomba kuba ahuye n’amategeko avugwa muri iyi nyandiko yerekeye amaburanisha y'ikirego cy'uburenganzira butubahirijwe.

Umuburanyi ashobora kujuririra icyemezo cy’iburanisha ry'ikirego cy'uburenganzira butubahirijwe cyihutirwa mu buryo bumwe nk’ubwo yakoresha ku bindi byemezo by’amaburanisha y'ikirego cy'uburenganzira butubahirijwe (reba **Ubujurire**, hejuru).

Guhabwa umwanya wo kwigiramo mu gihe cy’ubujurire

34 CFR §300.533

Igihe, nk’uko byasobanuwe hejuru, umubyeyi cyangwa SAU batanze ubusabe bw’*iburanisha ry'ikirego cy'uburenganzira butubahirijwe* bujyanye n’ibibazo by’imyitwarire, umwana agomba (keretse iyo umubyeyi n’Ikigo cya Leta gishinzwe uburezi cyangwa SAU babyemeranyijeho ukundi) aguma ahandi hantu ho kwigira mu gihe bagitegereje umwanzuro w’umukozi ushinzwe iburanisha, cyangwa kugeza igihe cyo kuvanwamo kirangiye nk’uko biteganywa ndetse nk’uko byasobanuwe mu mutwe wa **Ububasha bw’umukozi w’ikigo cy’amashuri**, ikije bwa mbere cyose.

Amategeko yo Kurinda Abana bataremererwa gahunda y’Uburezi bwihariye na Serivisi zijyanye nabwo

34 CFR §300.534

Rusange

Iyo umwana ataremezwa nk’uwemerewe gahunda y’uburezi bwihariye na serivisi zijyanye na bwo ubundi akanyuranya n’amategeko ngengamyitwarire y’umunyeshuri, ariko SAU ikaba yaramenye (nk’uko bisobanurwa hano hasi) mbere y’uko imyitwarire yatumye igihano gifatwa ibaho, ko umwana yari afite ubumuga, ubwo umwana ashobora kwemera itegeko iryo ariryo ryose ryo kumurinda ryasobanuwe muri iri tangazo.

Igishingirwaho mu kumenya ibibazo by’imyitwarire

SAU igomba gufatwa nk’izi ko umwana ari umwana ufite ubumugaiyo, mbere y’uko imyitwarire yatumye igihano gifatwa ibaho:

1. Umubyeyi w’umwana wagaragaje impungenge mu nyandiko ko ari umwana ukeneye uburezi bwihariye na serivisi zijyanye na bwo ku mukozi ushinzwe ubugenzuzi cyangwa uwo mu nzego z’ubuyobozi w’ikigo gishinzwe uburezi gikwiriye, cyangwa umwarimu w’umwana;
2. Umubyeyi yasabye isuzuma bumenyi rijyanye no kwemerwa gahunda y’uburezi bwihariye na serivisi zijyanye na bwo ziteganywa mu gice cya B cya IDEA **cyangwa**
3. Umwarimu w’umwana, cyangwa undi mukozi wa SAU yagaragaje impungenge zihariye zirebana n’ikimenyetso cy’imyitwarire umwana yagaragarije ku buryo bweruye umuyobozi mukuru wa gahunda y’uburezi bwihariye ya SAU cyangwa undi mukozi ushinzwe ubugenzuzi muri SAU.

Umwihariko

SAU ntiyafatwa nk'ifite ubwo bumenyi iyo:

1. Umubyeyi w'umwana ataretse ngo isuzume ubumenyi ry'umwana ribeho cyangwa yaranze serivisi z'uburezi bwihariye; **cyangwa**
2. Umwana yarakorewe isuzuma bumenyi ntiyemezwe nk'umwana ufite ubumuga buteganywa muIgice cya B cya IDEA.

Ibikurikizwa iyo nta gishingirwaho kijyanye n'ubumenyi

Iyo mbere yo gufatira umwana ibihano, SAU itari izi ko umwana ari umwana ufite ubumuga, nk'uko bisobanurwa hejuru mu mutwe muto wa **Igishingirwaho mu kumenya ibibazo by'imyitwarire** na **Umwihariko**, umwana ashobora guhabwa ibihano bihabwa abana badafite ubumuga baba baragaragaje imyitwarire igereranywa n'iyo.

Nyamara, iyo hatanzwe ubusabe bwo gukorera umwana isuzuma bumenyi mu gihe umwana agomba guhabwamo igihano, isuzuma bumenyi riba rigomba gukorwa ku buryo bwihutirwa.

Kugeza igihe isuzuma bumenyi rirangiriye, umwana aguma mu mwanya wo kwigiramo nk'uko byemejwe n'abayobozi b'ikigo cy'amashuri, bishobora no kubamo guhagarikwa cyangwa kwirukanwa adahabwa serivisi z'uburezi.
Iyo umwana yemejwe ko ari umwana ufite ubumuga, hitawe ku makuru y'isuzuma bumenyi ryakozwe na SAU, n'amakuru yatanzwe n'ababyeyi, SAU iba igomba gutanga serivisi z'uburezi bwihariye n'izindi serivisi zijyanye nabwo hashingiwe ku Gice cya B cya IDEA, harimo ibisabwa mu itangwa ry'ibihano byasobanuwe haruguru.

Kohereza no Gufata icyemezo n'Urwego rushinzwe iyubahirizwa ry'amategeko ndetse n'Abayobozi bo mu bucamanza
34 CFR §300.535

Igice cya B cya IDEA:

1. Ntikibuza ikigo gutanga amakuru y'icyaha cyakozwe n'umwana ufite ubumuga ku bayobozi bakwiye; **cyangwa**
2. Kubuzainzego za Leta zishinzwe iyubahiriza ry'amategeko n'abayobozi bo mu rwego rw'ubucamanza gukoresha inshingano zabo zijyanye no gushyira mu bikorwa amategeko ya Leta zunze ubumwe za Amerika n'Amategeko ya Leta ku byaha byakozwe n'umwana ufite ubumuga.

Guhererekanya amakuru abitse

Iyo SAU itanze amakuru y'icyaha cyakozwe n'umwana ufite ubumuga, SAU:

1. Igomba gukora ku buryo kopi z'amakuru ya gahunda y'uburezi bwihariye bw'umwana n'impapuro z'amakuru y'ibijyanye n'ibihano zihererekanywa kugira ngo zigweho n'abayobozi ikigo cyaharegeye icyaha; **kandi**
2. Ishobora guhererekanya kopi z'amakuru ya gahunda y'uburezi bwihariye bw'umwana n'impapuro z'amakuru y'ibijyanye n'ibihano gusa ku buryo bwemewe n'Itegeko rigena uburenganzira bw'umuryango ku burezi n'Ubuzima bwite (FERPA).

Ibisabwa mu Guhabwa umwanya wo kwigiramo ku muntu umwe bikozwe n’Ababyeyi b’Abana ku bigo byigenga ku Kiguzi cyishyurwa na Leta

Rusange

34 CFR §300.148

Igice cya B cya IDEA ntigisaba SAU kwishyura ikiguzi cy’uburezi, harimo uburezi bwihariye na serivisi zijyanye na bwo, bw’umwana wawe ufite ubumuga ku kigo cy’amashuri kigenga cyangwa inyubako iyo SAU yahaye umwana wawe serivisi y’uburezi rusange bukwiye kandi butishyurwa (FAPE) kandi ugahitamo gushyira umwana wawe mu kigo cy’amashuri cyigenga cyangwa inyubako. Nyamara, SAU ikigo cy’amashuri kigenga giherereyemo igomba gushyira umwana wawe mu bantu ibibazo byabo byigwaho hashingiwe ku biteganywa n’Igice cya B byerekeye abana bahawe umwanya wo kwigiramo n’ababyeyi mu cyigo cy’amashuri cyigenga nk’uko biteganywa na 34 CFR §§300.131 kugeza kuri 300.144.

Isubizwa ry’amafaranga yatanzwe kubera guhabwa umwanya mu kigo cy’amashuri kigenga

Iyo umwana wawe yari yarahawe gahunda y’uburezi bwihariye na serivisi zijyanye na bwo mbere biturutse ku itegeko rya SAU, kandi ugahitamo kwandikisha umwana wawe mu kigo cy’amashuri y’abimenyereza gutangira amashuri kigenga, ikigo cy’amashuri abanza, cyangwa ikigo cy’amashuri yisumbuye hatabanje gutangwa uburenganzira bwa cyangwa koherezwa na SAU, urukiko cyangwa umukozi ushinzwe iburanisha akabona ko umwana atahawe gahunda y’uburezi rusange bukwiye kandi butishyurwa (FAPE) mu gihe gikwiye mbere yo kwiyandikisha kandi ko no guhabwa umwanya mu kigo cyigengwa bikwiye. Umukozi ushinzwe iburanisha cyangwa urukiko ashobora gusanga guhabwa umwanya kwawe bikwiye, n’ubwo guhabwa umwanya bitaba byujuje ibigenderwaho muri Leta bikurikizwa ku burezi butangwa n’Ikigo cya Leta gishinzwe uburezi na SAU.

Ibibuza isubizwa ry’amafaranga

Ikiguzi cy’ibigomba gusubizwa cyasobanuwe mu gika kiri hano hejuru gishobora kugabanywa cyangwa kwangwa:

1. Iyo: (a) Mu nama ya gahunda y’uburezibwihariye (IEP) iheruka witabiriye mbere y’uko umwana wawe avanwa mu kigo cy’amashuri ya leta, utigeze umenyesha itsinda rya IEP ko wanze umwanya wo kwigiramo watanzwe na SAU kugira ngo uhe umwana wawe FAPE, harimo kuvuga impungenge zawe n’icyo wari ugamije wandikisha umwana wawe mu kigo cy’amashuri yigenga ku kiguzi cya leta; cyangwa (b) Byibuze iminsi 10 y’imibyizi (harimo ibiruhuko ibyo aribyo byose byabaye ku minsi y’imibyizi) mbere yo kuvanwa mu kigo cy’amashuri ya leta k’umwana wawe, utarigeze umenyesha SAU mu buryo bw’inyandiko iby’ayo makuru;

1. Iyo, mbere yo kuvanwa mu kigo cy’amashuri ya leta k’umwana wawe, SAU yaguhaye imenyesha mu buryo bw’inyandiko, ku bushake bwayo bwo gukorera umwana wawe isuzuma bumenyi (harimo raporo ivuga ikigamijwe mu isuzuma bumenyi ryari rikwiye kandi ribereye), ariko ukaba utaratumye umwana wawe aboneka ngo akorerwe isuzuma bumenyi; **cyangwa**

2. Iyo urukiko rusanze ibyemezo wafashe byari bikwiye. Nyamara,

ikiguzi cy’ibisubizwa:

1. Ntikigomba kugabanywa cyangwa kwangwa kubera kunanirwa gutanga imenyesha niba: (a) Ikigo cy’amashuri cyarakubujije gutanga imenyesha; (b) Utaramenyeshejwe inshingano zawe zo

gutanga imenyesha ryasobanuwe hejuru; cyangwa (c) Kuzuza ibisabwa byavuzwe hejuru bishobora kwangiza umwana wawe mu buryo bwo ku mubiri; **kandi**

2. Gishobora, mu bushishozi bw'urukiko cyangwa ubw'umukozi ushinzwe iburanisha, kutagabanywa cyangwa kwangwa kubera kunanirwa ko gutanga imenyesha k'umubyeyi niba: (a) Umubyeyi atazi gusoma no kwandika cyangwa atazi kwandika Icyongereza; cyangwa (b) Iyubahirizwa ry'ibisabwa byavuzwe hejuru bishobora kuvamo kwangirika k'umwana mu buryo bw'amarangamutima.

Ababyeyi batwitira abandi
34 CFR § 300.519

Rusange. (a)

Buri kigo cya Leta kigomba gukora ku buryo uburenganzira bw'abana burindwa igihe—

(1) Ababyeyi (nk'uko bisobanurwa muri § 300.30) badashobora kumenyekana;
(2) Ikigo cya leta, nyuma yo gukora ibishoboka byose, kidashobora kubona aho umubyeyi aherereye;
(3) Umwana ari umwana ukurikiranwa na Leta nk'uko biteganywa n'amategeko ya Leta; cyangwa
(4) Umwana udaherekejwe kandiutagira aho aba nk'uko bisobanurwa mu cyiciro cya 725(6) cy'Itegeko rigena ubufasha bw'abatagira aho baba rya McKinney-Vento (42 U.S.C. 11434a(6)).

Imirimo y'Ikigo cya Leta (b)

Imirimo y'ikigo cya Leta iteganywa mu gika cya (a) cy'icyi cyiciro kirimo umukoro w'umuntu ku giti cye gukora nk'umubyeyi w'umusigire. Ibi bigomba kuba birimo uburyo bwo—

(1) Kwemeza niba umwana akeneye umubyeyi w'umusigire; na
(2) Uburyo bwo guha umwana umubyeyi w'umusigire.

Abana bakurikiranwa na Leta. (c)

Mu gihe umwana ari umwana ukurikiranwa na Leta, umubyeyi w'umusigire ashobora kugenwa n'umucamanza ukurikirana urubanza rw'umwana, umubyeyi w'umusigire yujuje ibisabwa mu gika cya (d)(2)(i) na (e) cy'icyi cyiciro.

Ibigenderwaho mu gutoranya ababyeyi b'abasigire (d)

(1) Ikigo cya leta gishobora guhitamo ababyeyi b'abasigire mu buryo ubwo aribwo bwose bwemewe n'Amategeko ya Leta.

(2) Ibigo bya leta bigomba gukora ku buryo abantu batoranyijwe nk'umubyeyi w'umusigire—

(i) Atari umukozi wa SEA, LEA, cyangwa utanga serivisi za EIS cyangwa ikindi kigo gitanga serivisi zo gufasha umwana ukiri muto mu buryo bw'ubuvuzi, mu burezi, kumwitaho cyangwa izindi serivisi zihabwa umwana cyangwa undi muntu ugize umuryango w'umwana;
(ii) Nta nyungu z'umuntu ku giti cye cyangwa zijyanye n'akazi zigongana n'inyungu z'umwana umubyeyi w'umusigire ahagarariye; kandi
(iii) Afite ubumenyi n'ubuhanga bikora ku buryo hariho ihagararirwa ry'umwana ku buryo bukwiye.

Ibisabwa bijyanye no kuba atari umukozi, ingurane (e)

Umuntu utari uwujuje ibisabwa ngo abe umubyeyi w'umusigire nk'uko biteganywa mu gika cya (d) cy'iki cyiciro

si umukozi w'ikigo kubera ko gusa yishyurwa n'ikigo ngo akore nk'umubyeyi w'umusigire.

Umwana ukiri urubyiruko udaherekejwe utagira aho ahaba (f)

Mu gihe umwana ukiri urubyiruko udaherekejwe utagira aho ahaba, abakozi babugenewe bashinzwe gushaka amacumbi, amacumbi y'igihe gito, gahunda zifasha abantu kwibeshaho, na gahunda zifasha abo ku mihanda zishobora gufatwa nk'ababyeyi b'abasigire by'igihe gito hatitawe ku gika cya (d)(2)(i) cy'iki cyiciro, kugeza umubyeyi w'umusigire amaze gushyirwaho wujuje ibisabwa byose n'igika cya (d) cy'iki cyiciro.

Inshingano z'umubyeyi w'umusigire (g)
Umubyeyi w'umusigire ashobora guhagararira umwana mu bibazo byose bijyanye na—
(1) Kumenya, gusuzuma ubumenyi no guha umwana umwanya wo kwigiramo, no
(2) Guha umwana gahunda ya FAPE

Inshingano za SEA (h)
SEA igomba gukora uko ishoboye kose mu kugena umukoro w'umubyeyi w'umusigire mu minsi itarenze 30 nyuma y'uko ikigo cya leta cyemeje ko umwana akeneye umubyeyi w'umusigire.

Gutanga uburenganzira bw'umubyeyi ku myaka y'ubukure. 34 CFR § 300.520

Rusange (a)
Leta ishobora kugena ko, igihe umwana ufite ubumuga agejeje imyaka y'ubukure iteganywa n'Amategeko ya leta*(imyaka 18 muri Maine)* ikurikizwa ku bana bose (keretse umwana ufite ubumuga wemejwe ko adashoboye nk'uko biteganywa n'Amategeko ya Leta)—
(1)(i) Ikigo cya leta kigomba gutanga imenyesha iryo aririo ryose risabwa n'iki gice ku mwana no ku babyeyi; na
(ii) Uburenganzira bwose buhabwa ababyeyi buteganywa mu Gice cya B cy'itegeko guha umwana uburenganzira;
(2) Uburenganzira buhabwa ababyeyi buteganywa n'Igice cya B cy'Itegeko ryo gushyikiriza umwana uburenganzira ufungiye muri gereza y'abantu bakuru cyangwa abana, Ikigo cya Gereza ya Leta cyangwa aho mutuye; na
(3) Igihe icyo aricyo cyose Leta ishyikirije uburenganzira buteganywa muri iki gice hashingiwe ku biteganywa muri iki gika cya (a)(1) cyangwa (a)(2) by'iki cyiciro, ikigo kigomba kumenyesha umwana n'ababyeyi iryo shyikirizwa ry'uburenganzira.

Itegeko ryihariye (b)
Leta igomba gushyiraho uburyo bukurikizwa mu gushyiraho umubyeyi w'umwana ufite ubumuga, cyangwa, igihe umubyeyi adahari, undi muntu ukwiye, guhagararira inyungu zijyanye n'uburezi bw'umwana mu gihe cyo kwemererwa k'umwana kuvugwa mu Gice cya B cy'itegeko niba, nk'uko biteganywa n'Itegeko rya Leta, umwana yaragejeje imyaka y'ubukure, ariko atarafashwe nk'udashoboye, ashobora kwemeza nk'udafite ubushobozi bwo gutanga uburenganzira ku bushake hashingiwe kuri gahunda y'imyigire y'umwana.