

## PRIVATE SCHOOL

### SERVICES TO STUDENTS IN PRIVATE SCHOOLS UNILATERALLY ENROLLED BY THEIR PARENTS STUDENTS AGES 5-21

The 2004 Individuals with Disabilities Educational Act (IDEA) includes provisions relating to students with disabilities who have been unilaterally placed in a private school by their parents.

**Private School Counts for IDEA Distribution** – The District must report to the State Department of Education the total number of students who are parentally placed and enrolled in private schools in the district as of October 1<sup>st</sup> of each year.

**Consultation with Private Schools** – IDEA 2004 requires school districts to engage in timely and meaningful consultation with representatives of private schools and parents about the provision of special education services for parentally placed private school students attending private schools within our district.

**Affirmation of Consultation** – IDEA 2004 requires that school districts ask private school officials to provide written affirmations of a satisfactory consultation process. Private school officials are not required to provide a written statement if they believe the process unsatisfactory.

**Specific Services Provided.** The District has determined, after consultation with private school representatives, services will be provided by the District as follows:

- Special education services for private school students will typically be provided at the student's local public school. The services will be provided during the school day and at times that fit within the schedule of the special education staff.
- Services for Learning Disabilities and Communication Disorders only
- Transportation – Regular school transportation options are available to the child. However, a school district is not responsible for providing transportation resulting from the parent's decision to access special education services outside of the districts ordinary transportation schedules and routes.

**Proportional Share** - The District will use proportional funding to determine the amounts to be expended for the provision of the services listed above.

**Educational Materials for Students** - Certain types of educational materials needed by students may be provided to a private school. This includes students who need information in Braille or large print. The private school will be charged for the staff time to develop and/or reproduce the material and for the cost of the actual material. A Service Plan will not be used for these services. **Parent Withdrawal to Private School** –

## Student with a Disability

When a parent withdraws their child from public school and enrolls in private school you must:

- Call an IEP meeting.
- The parents have four options
  1. Accept the IEP services – They must re-enroll in their home school for at least one period per day (student's enrolled ½ time) and accept the IEP services in their entirety and services will be provided at the student's home school during school hours.
  2. Accept a Service Plan –
    - ✓ If parents want a Service Plan, develop a Service Plan with the parents and private school staff. Services are provided at the student's home school. Students must enroll in their home school as "shared-time".
  3. Refuse IEP services - The IEP case manager must complete the Prior Notice of **Special Education Action Form** and send it to the district office with meeting minutes.
    - ✓ The district will send the paper work with a FAPE letter.
    - The FAPE letter will need to be sent annually until the 3-year evaluation is due.
  4. Parents may also revoke consent for initial placement into Special Education.
    - Notify the special education director or designee should this occur.
    - The special education director will complete the Prior Notice of Special Education Action.

## Initial Eligibility for a Private School Student

The following procedures will need to be completed as with any referral:

- **Child Find** – The District is responsible for the identification and evaluation of any student within its jurisdiction. The parent or school may refer a private school student to determine eligibility for special education services.
- **Written Prior Notice** – Invite the parent and private school teacher rep. to a SET meeting and determine if an evaluation will be done.
- **Evaluation** – Must be evaluated in all areas of suspected disability.
- **Eligibility** – After eligibility has been established, offer the parents an IEP or Services Plan. Have the draft at the meeting.
- **The parents have three options:**
  1. Accept the IEP services - They must re-enroll in their home school for at least one period per day (student's enrolled ½ time) and accept the IEP services in their entirety and services will be provided at the student's home school during school hours.
  2. Accept a Service Plan –
    - ✓ If parents want a Services Plan, develop a Services Plan with the parents and private school staff. Services are provided at the student's home school. Students must enroll in their home school as "shared-time".
  3. Refuse IEP services – If the parents do not want services you must:
    - ✓ Have the parents sign the **Prior Notice of Consent for Initial Provision of Special Education Services** declining consent.
    - ✓ Complete a **Prior Notice of Special Education Action** form indicating the parent as declined services and offering a re-evaluation should the parents request services in the future.
    - ✓ No further follow-up is needed.

**Private School Three year Re-Evaluation:** A re-evaluation of an eligible student must be conducted every three years. The evaluation serves to establish whether the student continues to meet eligibility requirements as disabled and is in need of special education.

- These must be done whether the parents cooperate or not
- The student may be made ineligible due to lack of data and information if the parents refuse to present the child for testing or do not sign consent for something that requires parental permission.
- If this occurs, find the student ineligible and complete a **Prior Notice of Special Education Action** form indicating that the district stands ready to do a more complete evaluation should the parents change their mind.
- FAPE letters no longer need to be sent.

#### **Service Plan –**

If a student is eligible for special education services under these guidelines, a “**Service Plan**” must be developed with participation from the private school. Students in Private Schools are not in special education. Although they qualify for special education, because parents have chosen to send their student to a private school, the district is only obligated to develop a service plan.

The **Service Plan** is a written educational plan developed by the student's teacher, a special education teacher, someone who is qualified to provide or supervise special education (a district representative or an administrator), and the parent(s). The student, as appropriate, may also participate, as well as others at the discretion of the parents or district. The student's Service Plan will comply with the District guidelines with regards to present level of academic achievement and functional performance, and annual goals with criteria and schedules for determining whether the goals are being met.

**Limited Focus of Services Plan** - Service Plans will only be provided in areas we agree with private schools to serve - currently SLD/Speech. The Service Plan document will include only those services identified as needed by the student and consistent with these guidelines. The District must conduct Service Plan meetings to develop, review, and/or revise a student's Service Plan.

**More Intense Services** - If the student needs more intense services than can be provided through a Service Plan, parents should be encouraged to consider services available within a local public school with a special education Individual Education Plan (IEP).

**Annual Services Plan Review:** Federal and state regulations require that a meeting be held to review and revise, as appropriate, the student's **Service Plan** at least once a year. This should be at the anniversary date of the last Service Plan meeting or an earlier date.

## OVERVIEW OF REFERRAL PROCESS TO SPECIAL EDUCATION BY PRIVATE SCHOOLS

1. Parent, teacher or other staff has a concern regarding a student's academic performance or behavior. Private school staff or parents contact the Crook County School District special education director to begin the referral process.



2. The special education director gathers personally identifiable information, the reason for referring; whether or not a disability is suspected and pre-referral intervention information from the parent/private school.



3. The Crook County School District special education director assigns a special education teacher/therapist from the student's home school as the case manager.



4. The case manager will schedule a time to discuss the child at a Special Education Evaluation Planning Team meeting. Parents and Private school representative will be invited to attend the Team meeting.



5. Student is discussed at the Evaluation Planning Team meeting and a course of action is determined. Possible options will be considered (IE: whether to recommend a "Personal Education Plan" (PEP) or proceed with the evaluation).



### **6. IF THE STUDENT IS TO BE REFERRED FOR AN EVALUATION, THEN:**

The following documents need to be included in the referral packet: the completed **referral, parent consent to evaluate, and (if needed) a developmental history**. In addition, documentation of pre-referral interventions, progress reports, and a file review needs to accompany the referral packet. Evaluation referral packet is sent to the Crook County special education office and the evaluation process is initiated.



### **7. WHEN THE EVALUATION IS COMPLETED:**

Evaluator will notify the special programs staff to schedule a meeting for the purpose of discussing possible eligibilities for special education. A meeting is held at a convenient location. Meeting members should include the evaluator, parents, classroom teacher, private school representative, and special programs teacher from the home school.



8. If the child meets eligibility requirements and needs special education, then the child may receive services in one of two ways:



8a. If the student is eligible for special education services and the parent accepts the FAPE offered the parent would enroll the child in the public school for the purpose of receiving special education through the I.E.P.



8b. If the student is eligible for special education services and the parent chooses to continue private school placement, the District's obligation to these students is limited to:

- expending a proportionate amount of federal (IDEA) special education funds
- developing a Services Plan for those who request services.