
Chapter 8 — Students Participating in Private/Religiously Affiliated Schools

Note: In this chapter, the terms “private schools,” “students attending private schools,” “students with disabilities in private schools” or “private school students with disabilities” refer to parentally placed private school children with disabilities who attend those private schools that are located *within* our District.

The District has procedures for identifying all students with disabilities attending private schools located in our District who were not placed or referred by public agencies (See Chapter 1). **No private school child with a disability has an individual right to receive some or all of the special education and related services (FAPE) that the child would receive if enrolled in a public school.**

❖ Comparability of Services

Students with disabilities in private schools may receive a different amount of services than students with disabilities in public schools. Hamden Public Schools determines which services will be provided to private school students with disabilities. Parents seeking FAPE for their children must contact their school district of residence. However, parental consent must be obtained before personally identifiable information is released between the school district where the private school is located and the district of residence.

For each student designated to receive services, the District initiates and conducts meetings to develop, review and revise a Services Plan consistent with the requirements for the development, review, and revision of IEP’s. For students with disabilities enrolled in private schools and determined by the District to receive services, Hamden Public Schools will:

- ensure that a representative of the religious or other private school attends meetings to develop, review and revise a services plan; and
- use other methods to ensure participation by the private school, including individual or conference telephone call, if the representative cannot attend the meeting.

The District will develop and implement a services plan for each student designated to receive services, which describes the specific special education and related services that Hamden Public Schools will provide in light of the services that the District has determined will be available to private school children with disabilities. To the extent appropriate, the services plan will meet the requirements of an IEP with respect to the services provided. The same standards apply to personnel providing services in private schools as those providing the same services in the District except that private elementary and secondary school teachers who provide equitable services to parentally placed private school children with disabilities do not have to meet the highly qualified special education teacher requirements.

Hamden Public Schools may provide on-site services to private school students with disabilities, including religious schools.

❖ **Consultation with Representatives of Private School Students**

To ensure timely and meaningful consultation, our District will consult with private school representatives and representatives of parents of parentally placed private school children with disabilities during the design and development of special education and related services for these children regarding the following:

- The child find process including how parentally placed private school children suspected of having a disability can participate equitably and how parents, teachers, and private school officials will be informed of the process;
- The determination of the proportionate share of the federal funds available to serve parentally placed private school children with disabilities including the determination of how the proportionate share of those funds was calculated;
- The consultation process among our District, private school officials, and representatives of parents of parentally placed private school children with disabilities including how the process will operate through the school year to ensure that parentally placed children with disabilities identified through the child find process can meaningfully participate in special education and related services;
- How, where and by whom special education and related services will be provided for parentally placed private school children with disabilities including the types of services, how special education and related services will be apportioned if funds are insufficient to serve all parentally placed private school children with disabilities and how and when those decisions will be made; and
- How, if our District disagrees with the views of the private school officials on the provision of services of the types of services, our District will provide to the private school officials a written explanation of the reasons why our District chose not to provide services directly or through a contract.

We give these representatives a genuine opportunity to express their views regarding the number of private school students with disabilities, the needs of these students and their location. Consultation occurs before the District decides which services will be provided to private school children with disabilities.

After consulting with appropriate representatives of eligible private school students, the District will make the final decision with respect to the services to be provided including:

- Which students will receive services;
- What services will be provided;
- How and where the services will be provided; and
- How the services provided will be evaluated.

❖ Transportation

Hamden Public Schools provides transportation if it is necessary for the student to benefit from or participate in the services identified in the services plan. Transportation is provided:

- from the student's school or home to a site other than the private school; or
- from the service site to the private school, or to the student's home, depending on the timing of the services.

If transportation is necessary for the private school student with a disability to benefit from or participate in the services provided by our District, transportation costs may be included in calculating the amount we must spend on providing special education and related services.

The District is not required to provide transportation from the student's home to the private school.

❖ Use of Funding

Our District spends the following to provide special education and related services to parentally placed private school children with disabilities: For children ages 3 thru 21, an amount that is the same proportion of our total subgrant under section 611 (f) of the IDEA as the number of private school children with disabilities ages 3 through 21 who are enrolled by their parents in private schools located in our District, is to the total number of children with disabilities in our jurisdiction ages 3 through 21. For children ages 3 through 5, an amount that is the same proportion of our subgrant under section 619 (g) of the IDEA as the number of parentally placed private school children with disabilities ages 3 through 5 who are enrolled by their parents in a private school located in our District, is to the total number of children with disabilities in our jurisdiction ages 3 through 5.

Our District may use funds, available under Sections 611 and 619 of IDEA to make public school personnel available in other than public facilities:

- to the extent necessary to provide services for private school students with disabilities designated to receive services; and
- if those services are not normally provided by the private school.

The District may use funds available under Sections 611 or 619 of IDEA to pay for the services of an employee of a private school to provide services if:

- the employee performs the services outside of his or her regular hours of duty; and
- the employee performs the services under public supervision and control; and
- the employee is appropriately qualified, licensed or certified.

The District will not use funds available under Sections 611 or 619 of IDEA for:

- the needs of the private school;
- the general needs of the students enrolled in the private school;
- financing the existing level of instruction in a private school;
- repairs, minor remodeling or construction of private school facilities; and
- to otherwise benefit the private school or meet the needs of a private school.

The District will not use funds available under Sections 611 or 619 of IDEA for classes that are organized separately, on the basis of school enrollment or religion, if the classes:

- are at the same site; and
- include students enrolled in public schools and students enrolled in private schools.

❖ **Equipment and Supplies**

Hamden Public Schools keeps the title and exercises administrative control of all property, equipment and supplies that the District acquires with IDEA funds under Sections 611 or 619 for the benefit of private school students with disabilities.

The District may place equipment and supplies in a private school for the period of time needed for the program (provided that equipment and supplies are used only for IDEA Part B purposes). Equipment and supplies will only be provided if they can be removed from the private school without remodeling the facility. Equipment and supplies will be removed from a private school if:

- the equipment and supplies are no longer needed for IDEA Part B purposes; or
- removal is necessary to avoid unauthorized use for other than IDEA Part B purposes.