

Parentally Placed Private School Students

Students enrolled by their parents in private or home schools may experience a lack of success in the private or home school setting. The parents or private school personnel may need more information about the student in order to help the student become successful. Either the parents or personnel from the private school may wish to call upon the public school to assist with the problem solving process. In such instances, the parents or private school personnel should contact the student's attendance-zone school and make a request for intervention assistance. For parents of preschool children, age three to five, parents or school personnel should contact the Preschool/Child Find Liaison through New Hanover County Schools Special Education and Related Services to make a request for intervention assistance. A request for intervention assistance may lead to an intervention plan for student success. The attendance-zone school Problem Solving Team or a Preschool Community Child-Find Support team would include private/home school personnel in the process as co-developers of the intervention plan for student success.

Since this process calls for the student's attendance zone school to manage the request for intervention assistance, schools implementing a (MTSS) face a dilemma, especially if intervention leads to an evaluation for special education eligibility. The school conducting the evaluation will work closely with the parent and the private school to ensure proper monitoring data is gathered and provided as part of any educational assessment.

At times, the intervention plan for student success process may lead to the Formal Evaluation and/or Individualized Education Program (IEP) processes. When this occurs, it may be determined that the student has a disability and needs specially designed instruction. When such a determination is made, the attendance-zone school Individualized Education Team (IEP) or a Preschool Community Child-Find Support Team (Preschool CCST) must propose a public school IEP in accordance with state and federal regulations governing the provision of a free appropriate public education (FAPE). The proposed IEP must be designed with the condition that the services would be provided in a public school setting. A public school setting for children age 5 on or before August 31 of a given school year is defined as a K-12 school. For younger children, the public school setting could be a public, private or community early childhood education center. If the parents decide to continue to enroll their child in a private or home school setting but also want public school services, the parents must make this request in writing including a statement that they reject the public school setting proposal.

The federal Individuals with Disabilities Education Act (IDEA) places the responsibility to locate, identify and evaluate children with disabilities on the public school system in which the private school is located, regardless of the child's residence. The public school system is also responsible for delivering the private school service plan if the

parent rejects the public school FAPE proposal. The responsibility, however, for the FAPE delivery is the school system in which the child resides.

Students with disabilities who need specially designed instruction and who are parentally placed in a private or home school may be eligible for public school services. Public school services to parentally placed private school students may be different from services provided in a public school setting. Once the parents have rejected the FAPE proposal and have requested public school special education services, the attendance-zone Individualized Education Team or a Preschool Community Child-Find Support Team must reconvene and propose a service plan. In developing the service plan, the team must take into consideration the educational environment of the private or home school and propose services that support the student within that environment. The service plan proposal must support and supplement (not replace) the educational program in the private or home school setting. The service plan proposal for parentally placed students ultimately must be driven by the individual needs of the student including modifications and accommodations by the personnel serving the student within the private or home school setting. Based on input from the consultation process and Private School Service Plans (PSSP) for the past several years, NHCS will limit PSSP services to Speech Language Pathology services. Speech-Language Pathology Services will be provided through a contract with a community-based provider. Service may be available at the private/home school site, subject to authorization by the private school.

The parentally placed private school service plan places additional conditions on the access to public school special education services. These conditions include procedural safeguard limitations, equity of federal revenue allocation, certain notice requirements by parents, and church-state separation issues. In particular, the following procedural safeguards do not apply under services provided by a service plan: prior written notice of proposal, parental written consent, mediation and impartial due process hearing, state review, civil action and attorney's fees. It must be pointed out that the amount and nature of special education services proposed on a service plan for parentally placed private and home school students is limited to the NHCS federal per child allocation and will only include speech-language pathology services, if required by the student. Costs associated with Child Find, particularly intervention plans, Formal Evaluation and Reevaluation processes may not be applied to this cost limitation.

