

NONPUBLIC NONSECTARIAN SCHOOL AND AGENCY SERVICES

The Governing Board may contract with state-certified nonpublic nonsectarian schools or agencies to provide special education services or facilities when an appropriate public education program is not available.

Procedures specified in law shall govern the selection of an appropriate nonpublic school or nonpublic agency services. Contracts with the nonpublic school or agency shall contain assurances that the school or agency will comply with applicable Federal and State laws and regulations.

Contracts shall set forth administrative and financial agreements negotiated for the length of time for which nonpublic nonsectarian school services are specified in the student's individualized education program, not to exceed one year. Changes in educational instruction, services or placement shall be made only on the basis of revisions to the student's individualized education program.

Legal Reference:

EDUCATION CODE

- 56160 Apportionments of Funds
- 56168 Responsibility for Education of Student in Hospital or Health Facility School
- 56221 Adoption of Policies
- 56361 Program Options
- 56365 Nonpublic Nonsectarian School Services; Contracts; Allowances for Services; Tuition
- 56365.5 Placements Exceeding Cost Threshold
- 56366 Nonpublic, Nonsectarian Schools; Legislative Intent; Alternative Special Education Service; Contracts; Warrants; Certification; Standards
- 56366.1 Waiver of Requirements Under 56365 and 56366
- 56366.5 Payment for Contract Services; Request; Penalty for Unjustified Nonpayment
- 56728.7 Pilot Program for Returning Nonpublic School Pupils to Public Schools
- 56740-56743 Apportionments and Reports
- 56760 Annual Budget Plan; Service Proportions
- 56711 Computation of State Aid
- 56775.5 Reimbursement of Assessment and Identification Costs

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CODE OF REGULATIONS, TITLE 5

3001 Definitions

3061-3069 Nonpublic Nonsectarian School and Agency Services

Board Policy Reference:

BP 0430 Comprehensive Local Plan

BP 6159 Individualized Education Programs

BP 6159.1 Procedural Safeguards and Complaints

BP 6159.3 Appointment of Surrogate Parent

BP 6164:4 Identification of Individuals with Exceptional Needs

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NONPUBLIC NONSECTARIAN SCHOOL AND AGENCY SERVICES

Procedures specified in law shall govern the selection of appropriate nonpublic school or agency services.

Master Contracts

Master contracts with nonpublic nonsectarian schools and agencies for services to special education students will be developed by the Superintendent or designee for students who have an Individualized Education Program (IEP) developed by a District IEP Team and whose IEP has been reviewed and approved by the Board of Trustees. Contracts with the nonpublic school or agency shall be made on forms provided by the California Department of Education and shall include an individual services agreement negotiated for each student for the length of time for which nonpublic nonsectarian school, services are specified in the student's individualized education program, not to exceed one year. Changes in educational instruction, services or placement shall be made only on the basis of revisions to the student's individualized education program, unless ordered by an administrative hearing or court action. (Education Code 56366)

Individualized Education Program

The master contract shall specify the general administrative and financial agreements between the nonpublic, nonsectarian school or agency and the district to provide the special education and designated instruction and services, as well as transportation specified in the student's IEP. The administrative provisions of the contract shall also include procedures for recordkeeping and documentation, and the maintenance of school records by the contracting district to ensure that appropriate high school graduation credit is received by the student. The contract may allow for partial or full-time attendance at the nonpublic, non sectarian school. (Education Code 56366)

The nonpublic school or agency must be certified as meeting state standards pursuant to Education Code 56366. Contracts may be terminated for cause with 20 days' notice; however, the availability of public education program initiated during the period of the contract cannot give cause for termination unless the parent/guardian agrees to transfer the student to the program.

The master contract shall include a description of the process being utilized by the district to oversee and evaluate placements in nonpublic, nonsectarian school. This description shall include a method for evaluating whether the student is making appropriate educational progress. (Education Code 56366)

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The district IEP team shall annually review the IEP of a student placed in a nonpublic, nonsectarian school or agency. The student's IEP and contract shall specify the review schedules.

Out-of-State Placements

Before contracting with a nonpublic, nonsectarian school or agency outside California, the Superintendent or designee shall document the district's efforts to find an appropriate program offered by a nonpublic nonsectarian school or agency within California. (Education Code 56325)

Within fifteen (15) days of any decision for an out-of-state placement, the student's IEP team shall submit to the Superintendent of Public Instruction a report with information about the services provided by the out-of state program, the related costs, and the district's efforts to locate an appropriate public school or nonpublic nonsectarian school or agency within California. (Education Code 56365)

If the district decides to place a student with a nonpublic, nonsectarian school or agency outside the state, the district shall indicate the anticipated date of the student's return to a placement within California and shall document efforts during the previous year to return the student to California. (Education Code 56325)

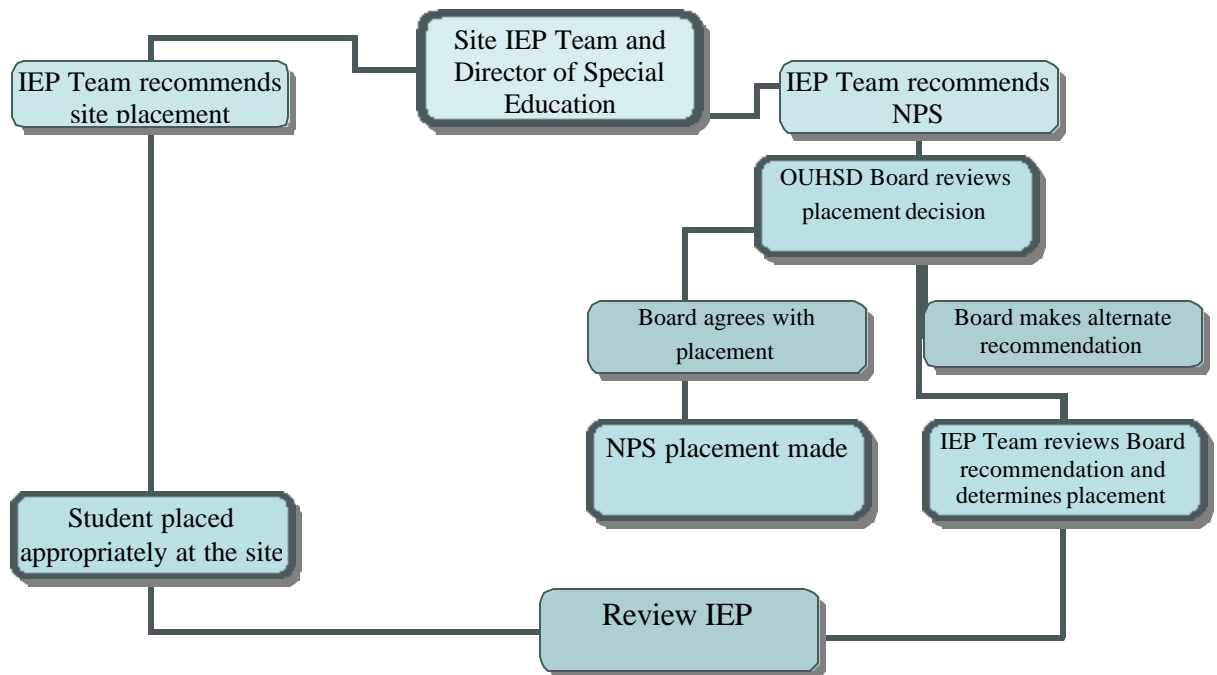
Case Management

Individualized Education Programs (IEPs) for nonpublic schools or agencies will only be developed when the full range of educational options have been considered by the IEP.

Team and all of their options have been found to be inappropriate and that the student's educational program can only be delivered by a nonpublic school or agency.

Procedures specified in law shall govern the selection of appropriate nonpublic school or agency services. Before seeking a state waiver to contract for out-of-state services, the district shall make every effort to find an appropriate program offered by a nonpublic nonsectarian school or agency within California. The Superintendent or designee shall document such efforts. (Education Code 56365)

Non Public School (NPS) Flow Chart



Legal Reference:

EDUCATION CODE

56220(D) Coordination with Public Agencies

56221 Nonpublic School Policy

56365 Out of State Placements

56366 Transportation

56740 Financial

56775.5 Assessment Reimbursement

56521 Behavioral Interventions

CALIFORNIA CODE OF REGULATIONS

Title 5 Division 1 Chapter 3, Subchapter 1 Article 6 Sections 3061-3069

Nonpublic

Section 3001 Nonpublic definition

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Administrative Procedures Reference:

AP 0430 Comprehensive Local Plan

AP 6159 Individualized Education Programs

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