Book	Policy Manual
Section	4000: Instruction
Title	Programs and Services for Parentally Placed Nonpublic School Students with Disabilities Where the District is the District of Location of the Nonpublic School
Code	4321.10
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The Board of Education recognizes its responsibility to provide special education services to eligible students with disabilities enrolled by their parents in nonpublic schools located within its District in accordance with applicable law and regulation, where the District is the District of Location of the nonpublic school, regardless of whether such students are residents of the District.

(Refer to policy 4321, Programs for Students with Disabilities under the IDEA and Article 89 for more information regarding the provision of special education services to students with disabilities enrolled in the District's public schools).

District staff will obtain prior consent from the parent of a parentally placed nonpublic school student with disabilities-or from the student, if the student is 18 years or older-for the release of personally identifiable information from records collected or maintained pursuant to the IDEA between the District and the student's District of residence.

CSE Responsibilities:

Once a parentally placed nonpublic school student with disabilities is determined to be eligible for special education services under the IDEA and Article 89, the CSE or CSE subcommittee will develop an Individualized Education Services Program (IESP) or Services Plan (SP) in accordance with the following:

1. If the student is a New York State resident, the CSE or CSE subcommittee will develop an IESP based on the student's individual needs, in the same manner and with the same content as an individualized education program prepared for a public school student.
2. If the student is an out-of-state resident, the CSE or CSE subcommittee will develop an SP for the student in accordance with the IDEA and its implementing regulations.

Provision of Services:

Parents of nonpublic school students with disabilities eligible for special education services under this policy must submit a written request to the Board for such services on or before June 1 preceding the school year for which they are requesting services. However, if the student is first identified as having a disability after June 1, the parent may submit the written request within 30 days after identification and upon such a written request and if the written request is made within 30 days after identification as a student with a disability and before April 1, the student will be entitled to services during the current year.

The District will provide special education programs and services to parentally placed nonpublic school students with disabilities with an IESP on an equitable basis, compared to services provided to other students with disabilities attending public and nonpublic schools within the District.

The District will provide special education programs and services to parentally placed nonpublic school students with disabilities with an SP to the extent required by the IDEA and its implementing regulations, and in consultation with nonpublic school officials and representatives of such students. In this regard, the District will expend a proportionate

amount of the federal funds it receives under the IDEA to provide such services.

Consultation:

The District will consult in a timely and meaningful manner with nonpublic school officials and representatives of parents of parentally placed nonpublic school students with disabilities regarding:

1. The process used to locate and identify parentally placed nonpublic school students with disabilities, including how parents, teachers, and nonpublic school officials will be informed of the process, and how the process will operate throughout the school year to ensure that such students can participate in special education and related services;
2. How, where and by whom special education and related services will be provided to such students, and-regarding students with an SP-the types of services that will be provided;
3. With respect to students with an SP, how a proportionate share of the federal IDEA funds will be spent;
4. The determination of the proportionate amount of the District's IDEA funds available to serve parentally placed private school students with disabilities, including how that amount was calculated;
5. How services will be apportioned if the proportionate amount of IDEA funds is insufficient to serve all parentally placed nonpublic school students with an SP, and how and when such decisions will be made.

NOTE: The District will provide services to students with an IESP regardless of the apportionment of federal funds.

The Superintendent will establish a process for obtaining from nonpublic school officials a written affirmation of their participation in the consultation process. If that affirmation is not secured within a reasonable time, the Superintendent will submit documentation of the consultation process to the State Education Department.

Ref: The Individuals with Disabilities Education Act (IDEA), 20 USC § 612 (a)(10)(A); 34 CFR ***
Education Law §§3602-c
NYCRR §2002.2 (a)(7)

Adoption date:

Cross References

4321 - Programs for Students with Disabilities Under the Idea and New York's Education Law Article 89

4321.5 - Confidentiality and Access to Individualized Education Programs, Individualized Education Services Programs and Service Plans