



Individual Service Plan

Tracy Unified School District

What Are The Legal Requirements of IDEIA?

Changes in federal and state law since 2004 have led to changes in how districts deal with special education students who are enrolled in private schools

The local education agency (LEA) is designated as the district in which the private school is located

Why is that relevant?

LEAs shall locate, identify, and assess all private school children with disabilities, including religiously affiliated school-age children, who attend private schools located within the boundaries of their school district.

(Child Find)

What is Child Find?



The District is required to reach out to the area private schools - annually by letter and conference - regarding the child-find process, including, but not limited to, criteria for special education eligibility and special education referral procedures under federal and state laws and regulations

The District is required to reach out to the area private schools to distribute materials regarding issues, including but not limited to, criteria for special education eligibility and special education referral procedures under federal and state laws and regulations

What is Child Find?



The District Child-find activities shall include consultation with representatives (staff and parents) of parentally placed private school children with disabilities regarding how to carry out child-find activities

The District sends a Child Find letter to area private schools annually and holds a meeting for area private schools sharing the LEA's responsibility for Child Find, process, and ISPs

Referral Process for Assessment



Students must be referred for special education instruction and services only after the resources of the general education program have been considered and utilized

If after considering and, where appropriate, utilizing general education resources, representatives of parentally placed private school children may send a referral, along with an exchange of information form, to the Director of Special Education

Next Steps After Initial SpEd Assessment

The District of Location (DOL) shall conduct an appropriate initial assessment of the child's needs, if a current assessment has not been performed by the District of Residence (DOR)

Should a parent request an assessment from their DOR for purposes of FAPE, the DOR is responsible for the assessment

In order to communicate with the DOR prior to assessment, the LEA will request permission from the parent for exchange of information. At the completion of assessment, the LEA will invite the DOR to attend the initial IEP meeting

The district conducting the assessment shall make the eligibility decision

If the parents of a private school child with a disability are interested in enrolling their child in public school, or are unsure of their intentions, the IEP team shall develop an IEP for the child

If the parents of a private school child with a disability agree with and consent to the IEP developed by the IEP team, the IEP shall be implemented without undue delay following the IEP team meeting

If the parents of a private school child with a disability agree with, but decline the IEP developed by the IEP team, the IEP team shall: 1) Ask the parents to indicate their agreement with the following statement on the student's IEP form: "I agree that the District of Residence has offered to my child a free appropriate public education, including appropriate services in special education. However, I am voluntarily placing my child in a private school."

An ISP Is Offered

If the parents of a private school child with a disability are clearly not interested in enrolling their child in public school, and if the child is eligible for special education and related services as a child with a disability, the LEA shall develop a Service Plan (SP), if appropriate, in accordance with this policy and federal and state laws and regulations

In order to ensure that the parents' intentions are clear, the District of Residence shall request that the parents sign the following statement on a form entitled Certification of Parent's Decision Not to Enroll in Public School:

Parents of _____ hereby certify that we are not interested in enrolling our child, _____, in the District. We are not interested in the development of an IEP for our child, the District's offer of a free appropriate public education, and are only interested in a potential SP (based on PL 108- 446 SEC 612(a)(10) determination of services) from the LEA, the school district where the private school in which we are unilaterally placing our child is located. We have received the San Joaquin County SELPA Notice of Parents' Rights, and we understand the notice.



What Is An ISP?

Who Pays for Private School ISP Services?



To calculate the proportionate share that an LEA must spend, use the figures found on the prior year 611 (5-21 year olds) Grant letter and the pupil count from the most recent December 1st count

What does that equal? **Consultative virtual Speech & Language Services for 30 minutes/month**

How Do ISPs Work?

- The District currently offers Consultative Speech & Language Services for 30 minutes/month
- Services are provided virtually or at the private school
- Services are provided in a group setting, if possible
- ISPs are written for the academic school year
- ISPs are offered annually, per agreement with the private schools and after the parents have decided that they will continue with the private school placement
- ISPs are developed at the beginning of every school year
- ESY is not offered



What Is In An ISP?

In the ISP - Annually update (beginning of school year)

- Complete upper portion of the ISP
- Type notes - Sharon has a notes template
- Add Services on the ISP form itself not in the IEP
- Accommodations are added in the notes page of the ISP not in the IEP

*The IEP must remain intact from the previous
FAPE Program Offer*



Who Attends ISP Meetings?



Private School Attendees

- School Administrator
- General Education Teacher
- Parent
- Student (if applicable)

TUSD Attendees

- SLP
- Program Specialist

If the private school intends to record, immediately inform your PS so they may record the meeting as well

Dispute Resolution



Parents are not entitled to a due process hearing involving disputes over the contents of service plans, their quality, or their implementation. A parent's right to seek a due process hearing is limited to the issue of the LEA's failure to identify, locate, and assess a privately placed student

No parentally placed private school child with a disability has an individual right to receive some or all of the special education and related services that he/she would receive if enrolled in a public school. (34 CFR §300.137)

What Private Schools Does TUSD Provide ISP Supports?



Bella Vista Christian Academy
West Valley Christian Academy
Tracy Adventist School
St. Bernard's Catholic School
Montessori School of Tracy