

This public school district is required by federal statute and regulations and state rules to identify students, placed by their parents or guardians in either for-profit or non-profit private schools located within this district's boundaries, who may be in need of special education and related services.

This district will provide a free appropriate public education (FAPE) to every child with a disability enrolled in its schools. To the extent consistent with the number and location of children with disabilities in the state, who are enrolled by their parents in private non-profit preschools (ages 3-5) and private non-profit elementary/secondary schools, this district will expend funding equal to the proportionate amount of federal funds made available under the Individuals with Disabilities Education Act (IDEA) for all students with disabilities who are enrolled within the boundaries of the district. The funding shall be expended on the services listed below. Costs of required Child Find activities, including individual evaluations, are not included in these expenditures.

Concerning evaluation and services to private school students, including religious, elementary, and secondary school students, not enrolled in a public school within this district's jurisdictional boundaries, it is the policy of this district to:

1. Conduct a periodic, timely, and meaningful consultation with representatives of private schools and representatives of parentally-placed private school children with disabilities during the design and development of special education and related services for such children
2. Conduct Child Find activities to include students placed by a parent or guardian in a private for-profit or non-profit elementary or secondary school (including a religious school) located within the boundaries of this district regardless of the student's state or local school district residence.
3. Provide parents and private for-profit and non-profit schools (upon receipt of parental consent) with the results of screening/evaluation of referred students.
4. Develop an Individualized Education Program (IEP) for a resident student in the event the student's parent/guardian chooses to enroll the student at a public school in this district.
5. Provide the following special education and related services at a service site to a parentally-placed student at a non-profit private school: group speech/language therapy, group occupational therapy, and group physical therapy.

[**Note:** The determination of which special education and related services will be provided to private school students, how and where the services will be provided, and

how the services provided will be evaluated must be made after consultation with representatives of private school students with disabilities.]

6. Develop and implement a Service Plan describing the specific special education and related services that will be provided for each private non-profit school student with a disability who has been designated to receive special education and related services consistent with the consultation.

For those private non-profit school students designated to receive special education and related services, transportation shall be provided to the extent it is necessary for a student to benefit from or participate in the services identified above. It may consist of transportation 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 child's home, depending on the timing of the services. In no event shall transportation be provided from the student's home to the private school. The cost of transportation provided shall be included in the proportionate share of federal funds.

Students with disabilities enrolled by their parents at private for-profit schools are not included in the federal definition of "parentally-placed private school children with disabilities" and are not included in the proportionate share calculation, nor are they eligible for equitable services.

Students with disabilities enrolled by their parents at private non-profit schools have no individual right to some or all of the special education or related services that a student with a disability enrolled in the district is entitled to. Private non-profit school students with disabilities may receive a different amount of services than students with disabilities enrolled in public schools. No private non-profit school student with a disability has an individual right to receive some or all of the special education and related services that student would receive if enrolled in a public school.

## **DEFINITIONS**

For the purposes of this policy, the following definitions apply:

Private school students: Students enrolled by their parents or guardians in private schools located within the boundaries of this district.

Service site: A public school setting or contracted location for the provision of special education and related services. A service site may be located at a private school, including a religious school, to the extent consistent with laws.



**LEGAL REFERENCE:**

20 U.S.C. § 1412(a)(10)

34 C.F.R. §§ 300.129 – 300.144

Idaho Special Education Manual 2007

IDAPA 08.02.03.109.02.d

*Letter to Chapman*, 49 IDELR 163 (2007)

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