



PARENTALLY PLACED PRIVATE SCHOOL STUDENTS WITH DISABILITIES

Maryland State Department of Education
Division of Special Education/Early Intervention Services
Presented August 2, 2011


August 2, 2011

OUTCOMES

2

- Obtain an overview of federal regulations relative to students with disabilities enrolled by their parents in private schools
- Develop an understanding of the private school provisions and application of the federal regulations
- Develop an understanding of the procedures for child find, consultation, data collection, and calculation of proportionate share
- Obtain knowledge of the required documentation to be maintained by local school systems and private schools

Parentally Placed Private School Students with Disabilities August 2, 2011



3 CHILD FIND

Parentally Placed Private School Students with Disabilities August 2, 2011

CHILD FIND
34 C.F.R. §300.131

4

Each local school system shall locate, identify, and evaluate:

- All private school students with disabilities enrolled in a private school—including religious school students—within the jurisdiction of the local school system
- At no cost and not considered as part of the proportionate share
- Includes out-of-state students attending private schools within the jurisdiction of the local school system

Parentally Placed Private School Students with Disabilities

August 2, 2011

CHILD FIND DESIGN
34 C.F.R. §300.131(b)

5

- Equitable participation
- Accurate count of all students identified as students with disabilities under IDEA

Parentally Placed Private School Students with Disabilities

August 2, 2011

CHILD FIND DESIGN
34 C.F.R. §300.131(c)

6

Comparable child find activities:

- Public Awareness
- Determination of eligibility as a student with a disability under IDEA (Evaluation)
- Determination of continued eligibility (Reevaluation)

Parentally Placed Private School Students with Disabilities

August 2, 2011



7 CONSULTATION

Parentally Placed Private School Students with Disabilities August 2, 2011

CONSULTATION
34 C.F.R. §300.134

8

Consult with private school representatives and representatives of parents of parentally placed private school students with disabilities.

- Child Find
- Proportionate Share of Funds
- Consultation Process
- Provision of Special Education and Related Services
- Written explanation

Parentally Placed Private School Students with Disabilities August 2, 2011



9 PRESCHOOL STUDENTS (3-5)


Parentally Placed Private School Students with Disabilities August 2, 2011

Preschool Students, Ages 3 through 5
34 C.F.R. §300.133(a)(2)(ii)

10

Children aged 3 through 5 are considered to be parentally-placed private school students with disabilities enrolled by their parents in private schools—including religious elementary schools—if they are enrolled in a private school that meets the definition of an elementary school under Maryland law.

Parentally Placed Private School Students with Disabilities August 2, 2011



11 SERVICES & SERVICE PLANS

Parentally Placed Private School Students with Disabilities August 2, 2011

Equitable Services Determined
34 C.F.R. §300.137

12

Determination of Services

- Who is served
- Types of services

Service Plan

Parentally Placed Private School Students with Disabilities August 2, 2011

Service Plan
34 C.F.R. §300.132(b) & 300.138(b)

13

Describes the specific education and/or related service(s) the local school system will provide a parentally placed private school student.

Parentally Placed Private School Students with Disabilities August 2, 2011

Service Provider
34 C.F.R. §300.138(a) & 300.142

14

- Services provided to parentally placed private school students with disabilities must be provided by personnel meeting the same standards as personnel providing such services to students with disabilities in public schools
- Exception—private school teachers providing equitable services are not required to meet the highly qualified special education teacher requirements.

Parentally Placed Private School Students with Disabilities August 2, 2011

Provision of Equitable Services
34 C.F.R. §300.138(c)

15

- Employees of a public agency; or
- Through contract with a public agency
- Special education and related services, including materials and equipment must be secular, neutral, and nonideological

Parentally Placed Private School Students with Disabilities August 2, 2011

16

Location of Services

34 C.F.R. §300.139

- Services may be provided on-site at the student's private school, including a religious school, or at another location
- Transportation
 - If necessary to enable the student to benefit from or participate in the services provided
 - Cost of transportation may be included in calculating whether a school system has expended a proportionate share of IDEA Part B funds

Parentally Placed Private School Students with Disabilities August 2, 2011



17

DATA COLLECTION

Parentally Placed Private School Students with Disabilities August 2, 2011

18

Annual Count

34 C.F.R. §300.133(c)

- Last Friday of October, annually
- **All** parentally placed students with disabilities enrolled in private schools within the jurisdiction of the local school system:
 - Children served
 - Children not served but eligible

Parentally Placed Private School Students with Disabilities August 2, 2011

Record Keeping
34 C.F.R. §300.132(c)

19

- Number of children evaluated
- Number of children determined to be children with disabilities
- Number of children served

Parentally Placed Private School Students with Disabilities August 2, 2011

Reporting Elements

20

- Maintenance and Use of Data
 - Accurate Count
 - All parentally placed private school children
 - Ability to Maintain Data
 - Ensure accountability and information for consultation
 - Proportionate Share
 - Based on Annual Count

Parentally Placed Private School Students with Disabilities August 2, 2011

Documentation

21

- Policies and Procedures
 - Child Find
 - Identification and Evaluation
 - Consultation
- Child Find Activities
- Consultation
- Written Affirmation from Private Schools
- Data Collection and Reporting to State
- Proportionate Share of Funds

Parentally Placed Private School Students with Disabilities August 2, 2011



22 DISPUTE RESOLUTION

Parentally Placed Private School Students with Disabilities August 2, 2011

State Complaints
34 C.F.R. §300.140(c)

23

- Provision of Services
- Service Plan
- Record Keeping
- Expenditures
- Consultation
- Equitable Services
- Location of Services and Transportation
- Use of Personnel
- Property, Equipment and Supplies

Parentally Placed Private School Students with Disabilities August 2, 2011

State Complaints by Private School Official
34 C.F.R. §300.136

24

- File the State Complaint with the local school system in which the private school is located
 - Consultation process
 - Local school system did not give due consideration to the views of the private school official

Parentally Placed Private School Students with Disabilities August 2, 2011

Due Process Complaints
34 C.F.R. §300.140(a)-(b)

25

- Applicable only to Child Find Requirements

Parentally Placed Private School Students with Disabilities August 2, 2011

Available Resources

26

- <http://idea.ed.gov>
 - Federal Law and Regulations
 - OSEP Video Clip
 - OSEP Topical Brief
 - OSEP FAQ
- <http://marylandpublicschools.org>
 - Private Schools
 - State Complaint Procedures
 - Due Process Complaint Procedures

Parentally Placed Private School Students with Disabilities August 2, 2011
