

Sacramento County Area SELPA Directors

Special Education Local Planning Areas Representing: Elk Grove, Folsom-Cordova, Natomas, Sacramento City, Sacramento County, San Juan, and Twin Rivers

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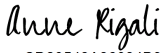
Local Agreement for Children with Disabilities
Enrolled by their parents in private schools TK-12.

1. Federal special education law specifically addresses the provision of special education services to students who are voluntarily placed by their parents in private schools. Parentally placed private school students may be eligible for services, but if they remain in a private school, they are not individually entitled to the same services provided to students with disabilities who are enrolled in the public schools.
2. All school districts have responsibility to identify all children who may have disabilities.
3. In Sacramento County, an agreement exists among the school districts that parentally placed private school students who are located and identified will be evaluated by their District of Residence. Following the evaluation, the District of Residence will offer a Free Appropriate Public Education (FAPE). If the parentally placed private school student/family chooses FAPE, they are required to enroll in the public school system in the district in which they reside.
4. Students identified by the private school as "at risk" learners should receive instructional interventions from the private school. Although not required prior to referral for assessment, new sections of law strongly encourage interventions and regular monitoring of the students' responses to the interventions. As students who may require special education services are identified, the parent and private school teacher should consider holding a Student Study Team or "Student Success Team" meeting prior to initiating a formal special education referral. The Student Study Team will discuss the student's strengths and areas of need, and document, as required by law, the accommodations and modifications that have occurred at the private school. The team may also discuss new accommodations and modifications that might be attempted.


5. If the parentally placed private school student/family chooses to remain in the private school setting, they are entitled to a "proportionate" amount of special education service. The proportion is equal to the proportion of eligible private school students receiving special education compared with the proportion of total public-school students receiving special education, divided into *federal* funding. The proportional service is provided by the district where the private school is located.
6. Parentally placed private school students do not have an individual entitlement to services, and a student may receive a specified amount of service and/or consultation per year, depending on each school district's proportional share requirement. Districts are not required to provide a full range of program/service options for parentally placed private school students and there is some variation in services offered between school districts in Sacramento County.
7. Services may be provided on public school grounds, usually at a public school near the private school or at the student's neighborhood school if the student resides in the same district in which the private school is located. Services may be provided virtually, with agreement between district and family. Upon agreement between the family and district, round-trip transportation, using the approved federal reimbursement rate for mileage, from the private school to the school that provides the services may be offer to the parent, and the cost of transportation is included in the proportionate amount of service.
8. Parentally placed private school students do not have an active IEP because they have declined the offer of FAPE. Instead, they have an Individual Service Plan (ISP). The ISP is developed by the District of Service and is reviewed annually. A complete triennial review is due every three years. The District of Residence completes the Triennial assessment, convenes the IEP team meeting, and invites the District of Service and staff from the private school where appropriate.
9. For the districts to account for their students who continue to be eligible for special education services, each district will develop and send a letter, annually, to each family who has a student enrolled in a parentally placed private school reminding them that their student is eligible for FAPE if enrolled in the public school of residence.

MOU Local Agreement for Students with Disabilities Enrolled by their parents in private schools TK-12.


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3/11/2022
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3/14/2022
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3/24/2022
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3/24/2022
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3/28/2022
 Date