

Dear Parent,

Part B of the Individuals with Disabilities Education Act (IDEA 2004) requires that school districts locate, identify, and evaluate at public expense students who are parentally placed at private schools and who are suspected of having disabilities and needing special education and related services. This is part of the general school district responsibility, known as child find.

School districts must make available a free appropriate public education (FAPE) via an Individual Educational Plan (IEP) to those parentally-placed students who are evaluated at public expense and determined to have disabilities if the student enrolls in and attends public school. The requirement to make available a free appropriate public education does not extend to private school settings when children with disabilities are parentally placed in those settings. However, school districts must provide parentally- placed elementary and secondary students with disabilities residing within their school district a genuine opportunity for equitable participation in special education. This obligation is owed to private school students as a group. There is no individual entitlement of parentally- placed private school students to receive special education services and/or related services. However, some students may receive service under a Services Plan.

Even though Part B does not require that all parentally- placed students with disabilities receive services, or that the full range of services be provided to those students the school district elects to serve, district personnel must consult with private school representatives prior to making a final decision regarding the provision of services.

This brochure provides answers to some of the most frequently asked questions regarding the delivery of services to parentally- placed private school students with disabilities.



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The Provision of Services to Parentally Placed Private School Students with Disabilities

A Parent's Guide to Services



Hillsborough County Public Schools
Department of
Exceptional Student Education

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What is the difference between a Services Plan and an Individual Educational Plan (IEP)?

The IEP is a written statement that describes the individual needs of a child with a disability enrolled in public school that is eligible to receive special education and related services. It indicates what services are required to meet the student's needs to ensure that he/she receives a free appropriate public education (FAPE).

The Services Plan describes the service(s) that a student with a disability may receive from the school district when the student is parentally placed in a private school. Although Services Plans must, to the extent appropriate, meet the IEP content requirements, students with Services Plans are not entitled to FAPE.

Does a Services Plan provide the same level of services that an IEP provides?

No. The Services Plan does not provide the same level of service that the student would receive if enrolled in a public school and eligible for an IEP and the provision of FAPE.

How does the school district make decisions regarding the provision of services to parentally-placed private school students?

The school district engages in timely and meaningful consultation with private school representatives and representatives of parents of parentally-placed private school students with disabilities. After the consultation process has occurred and the school district has given consideration to the input of private school representatives, the school district makes a final decision regarding the services to be provided.

Is the school district required to provide special education and related services to all eligible private school students?

No. A private school child with a disability does not have an individual right to receive some or all of the special education and related services that the child would receive if enrolled in a public school. For example, the district may choose to provide only one

service to a parentally-placed private school student even though the student may have previously received more than one service from the school district.

My child is having difficulty but has never been evaluated by the school district. How can I obtain an evaluation to determine if my child qualifies for special education and related services?

A request for an evaluation must be made to the student's zoned public school of attendance. School district personnel will meet with you and private school representative to discuss your concerns and address your request for an evaluation. When an evaluation is completed, you will be invited to a meeting to discuss your child's evaluation results. If you are considering enrollment in the public school to receive services, upon the determination of eligibility, the school will develop an Individual Education Plan (IEP). Your informed written consent will be required before the school begins providing the special education and related services described on the IEP. If you reject the school district's offer and remain in the private school, your child may still be eligible for a Services Plan for some special education services.

What obligation does the school district have to commit funds for the provision of services to students who are parentally placed in private schools?

The amount of federal funds to be expended must be equal to a proportionate amount of federal funds that are available to the school district under Part B of the IDEA. The proportionate share is based upon a formula provided by the IDEA regulations.

What special education services will be available to eligible private school students during the school year?

The specific types of services to be provided are based on information obtained during the school district's consultation with representatives of private schools and parents of students with disabilities. The final decision with respect to the services provided is

made by the school district. The following examples may be included in a school district's final decision regarding services for parentally-placed private school students: speech/language therapy, occupational therapy, consultative services, provision of instructional materials, and professional development for teachers. Additionally, all eligible students can benefit from the strategies and interventions discussed during inservice training activities available to private school personnel.

What happens if the district expends its proportionate share of funds prior to the end of the school year?

The school district will discontinue services for the school year when the proportionate share of Part B funds has been expended for the school year.

Can parents request a hearing to address a complaint that the school district has not complied with the IDEA requirements related to parentally-placed private school children?

A parent may not request a due process hearing regarding concerns relative to compliance with IDEA requirements related to the consultation process; the amount of funds expended by school districts to meet the requirements; decisions about the services that will be provided to parentally-placed private school children; or the implementation of specific Services Plans for individual children. However, the state complaint process may be used for such complaints. A private school parent may request a due process hearing for complaints regarding a school district's performance of child find activities, evaluations and reevaluations.

How do I request special education services for my child with a disability in private school?

A form to request services may be obtained from your child's private school or by contacting the Office of ESE Compliance at (813) 273-7060.