



**Questions and Answers
Regarding the Provision of Services to
Parentally-Placed Private School Students with Disabilities**

1. How are private schools defined in Florida?

Private schools that have students who are eligible for services under IDEA 2004 and under Title I Part A are elementary or secondary schools that are nonprofit day or residential schools that provide education as determined by state law. Per Florida law, a private school is defined as an individual, association, co-partnership, corporation, department, division, or section of such organizations that designates itself as an educational center that includes kindergarten or a higher grade.

2. Are private pre-kindergarten programs considered private schools?

If the school where the pre-kindergarten program is located meets the statutory definition of a private school (i.e., “includes kindergarten or higher...”), it is considered a private school, and the students with disabilities enrolled there would be included in the required activities.

3. Are gifted students considered parentally-placed private school students for whom the district must provide services?

No. The IDEA requirements apply only to students with disabilities. IDEA funds should not be used to provide services to students identified as gifted only.

4. Are there specified amounts of services that must be provided to parentally-placed private school children with disabilities under the Individuals with Disabilities Education Act (IDEA 2004)?

No. Children with disabilities enrolled in private schools by their parents have no individual entitlement to receive some or all of the special education and related services they would receive if enrolled in a public school other than child find, including evaluations. Under the IDEA, the District has the obligation to provide the group of parentally-placed private school children with disabilities with equitable participation in the services funded with federal IDEA funds.

5. How much services will the students receive?

The amount of services to be provided will be determined by the Services Plan (SP) Team. Parents and private school representatives are members of the Services Plan Team.

6. What is the process for developing a Services Plan for a parentally-placed private school child with a disability?

Each parentally-placed private school student with a disability who has been designated by the District to receive special education or related services must have a Services Plan. The Services Plan describes the specific special education or related services that the District will provide to the student. The District must ensure that a representative of the private school attends each meeting to develop the Services Plan and, if the representative cannot attend, use other methods to ensure participation by the private school, including individual or conference telephone calls. This provides the opportunity for private school staff to learn more about the child's strengths and needs.

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

Children with disabilities enrolled in public schools or who are publicly-placed in private schools are entitled to a free appropriate public education (FAPE) and must receive the full range of services under Individuals with Disabilities Education Act (IDEA 2004) that are determined by the child's IEP team to be necessary to meet the child's individual needs and provide FAPE. The IEPs for these children generally will be more comprehensive than the more limited Services Plans developed for parentally-placed private school children with disabilities designated to receive services.

A Services Plan should reflect only the services offered to a parentally-placed private school child with a disability designated to receive services and must, to the extent appropriate, meet the IEP content requirements.

8. What process is followed if a parent of a parentally-placed private school student does not provide consent for a reevaluation?

When the parent does not provide consent for reevaluation, or fails to respond to a request to provide consent, the school district is not required to consider the child as eligible for services as a parentally-placed private school student with a disability. However, reasonable efforts to obtain the parent's consent must be made and documented.

9. May IDEA funds for equitable services be paid directly to a private school?

No. IDEA funds for equitable services may not be paid directly to a private school.