

# SACRAMENTO COUNTY SELPA DIRECTORS

## Sacramento County Special Education Local Plan Areas

### LOCAL AGREEMENT FOR CHILDREN WITH DISABILITIES ENROLLED BY THEIR PARENTS IN PRIVATE SCHOOLS K-12

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### SPECIAL EDUCATION LOCAL PLAN AREAS REPRESENTING: ELK GROVE, FOLSOM CORDOVA, SACRAMENTO CITY, SACRAMENTO COUNTY AND SAN JUAN

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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. The District in which the private school is located has a responsibility of child find to assist in identifying all children who may have disabilities who are enrolled by their parents in private schools located in the District.
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. 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 may be invited to attend a Student Study Team, (also known as “Solutions Committee” 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, as well as document as required by law, the modifications that have occurred at the private school. The team may also discuss additional new 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 in which the private school is located.
6. Parentally placed private school students do not have an individual entitlement to services, but the average student might receive ten to twenty hours of service per year, depending on the particular school district’s proportional amount of service 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 are 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 as the private school is located. Round-trip transportation from the private school to the school that provides the services can be provided, but the cost of transportation is included in the proportionate amount of service.
8. Parentally placed private school students do not have an IEP document (because they have declined the offer of FAPE). Instead, they have an Individual Service Plan (ISP). The ISP is reviewed annually and a complete triennial review is due every three years. In order for the Districts to account for their students who continue to be eligible for special education services, each district will develop and send either a letter or Prior Written Notice to each family reminding them that their student is eligible for a full FAPE if enrolled in the public school of residence.

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