

Instruction

Instruction for Students with Disabilities

ENROLLED IN PRIVATE SCHOOLS BY THEIR PARENTS
SPECIAL EDUCATION SERVICES FOR STUDENTS VOLUNTARILY

Under the reauthorized IDEA and its implementing regulations, activities regarding the location, identification, and evaluation of private school students with disabilities are to be comparable to the activities undertaken for students in public schools. However, once identified as having a disability, a student with a disability voluntarily enrolled in a private school by his/her parents/guardians does not have an individual right under the IDEA to receive any or all of the special education and related services that the student would receive if enrolled in a public school.

In order to meet its obligations under the IDEA to students with disabilities voluntarily enrolled by their parents/guardians in private schools, the District will spend a proportionate amount of its federal IDEA Part B funds with respect to this aggregate population of students.

The IDEA requires that the District consult with representatives of private school students with disabilities to decide which students will receive services, what services will be provided, how and where the services will be provided, and how the services provided will be evaluated. The District, however, will make all final decisions regarding the services to be provided to private school children with disabilities.

Services for a private school student with a disability are not required to be provided through development and implementation of an IEP. Instead, for each private school student who is designated to receive services, the District must prepare a services plan that describes the specific special education and related services that the District will provide to the student. The District is required to ensure that a representative of the private school attends meetings to develop, review, and revise a services plan, or, if the representative cannot attend, will use other methods to ensure participation by the private school. To the extent appropriate, the services plan will be developed in a manner consistent with the requirements for an IEP.

The District will not provide special education and related services on the site of any religious school. Pursuant to the Missouri constitutional prohibition against the expenditure of taxpayer funds to support parochial schools, the District will not provide transportation for a religious school student from the student's home or the public school to the religious school.

Due process rights under the IDEA for private school children with disabilities and their parents/guardians are limited. Only issues related to child find and procedures for evaluation and determination of eligibility can be raised in a due process complaint. There is no right to due process to challenge the services that a student receives. Issues related to services may be raised through the Department of Elementary and Secondary Education's child complaint process.