



Northern Lights Special Education Cooperative

www.nlsec.org

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MEMORANDUM

TO: Parents of Children Who Attend State Approved Home Schools

FROM: Special Education Director, Northern Lights Special Education Cooperative

RE: *Identification of Students with Disabilities*

The Individuals Disabilities Education Improvement Act (IDEA 2004) requires public schools to identify children in home schools who have disabilities and live within a school district's boundaries.

If you feel that your child is not making satisfactory academic or social behavioral progress and/or has a substantial limitation in the areas of learning and communicating, you may request a screening and evaluation through your public school district. The evaluation will be designed to determine whether or not your child has a disability as defined by Minnesota special education eligibility criteria in Minnesota Rules (M.R. 3525). For children who are found eligible to receive special education services, parents will be invited to participate on a planning team that will review evaluation information and propose services. The process is as follows:

1. You will be invited to attend a team planning meeting at the public school. Representatives from the home school will be invited to attend. The team will review the information presented by your child's teacher, evaluator and/or other staff. You will also have an opportunity to share information.
2. You will receive written notice of the proposed evaluation for your approval. This notice requires written permission by the parent prior to the public school conducting the evaluation.
3. Once written parental permission is received, the public school special education staff will conduct your child's evaluation. You will have an opportunity to provide further information about your child's needs as a part of the evaluation.
4. The planning team will complete an Evaluation Summary Report and will make a decision regarding your child's eligibility for special education.

Children found eligible for special education services under (MN) 3525 will have an Individual Service Plan developed by a planning team of public school special education staff, home school staff and you. Additional information in question and answer format is attached to this memo.

For further information, please contact the Special Education Director of the Northern Lights Special Education Cooperative; 16 East Hwy 61; Esko, MN 55733. (218)655-5018.

1. What is the special education child find process?

Federal and state laws require school districts to conduct activities to locate, identify, and evaluate all children with disabilities who are located within the geographic boundaries of the district. These activities are referred to as the “child find” process. The child find requirement applies to all children with disabilities including children who are home schooled. The child find process for home schooled children with disabilities must be comparable to the process used for children with disabilities in public schools.

Federal and state laws (IDEA) require that children identified with disabilities be re-evaluated at least once every 3 years. Therefore, the school district must initiate a re-evaluation of a home schooled child with a disability at least once every three years. If the district cannot complete the re-evaluation because the child’s parents refuse to cooperate, the district is not required to take further action. The requirement to re-evaluate also includes home school children with disabilities who are not receiving special education and related services from the local district.

2. How can home schooled children suspected of having a disability participate equitably in the child find process?

The parent, guardian, or teacher of a child who home schooled within the school district boundaries may ask the district to evaluate the child to determine whether he or she has a disability and is in need of special education services under IDEA. Any child suspected of having a disability may be referred to the school district for an evaluation. If the school district evaluates a child and determines that the child is eligible for special education services, the district will provide special education services to the child.

3. How public school districts inform parents, teachers and home schools of the child find process?

In addition to disseminating this memorandum, once a year the Northern Lights Special Education Cooperative’s director of special education and/or a district administrator will offer to meet with home school representatives to discuss the child find process.

4. What process will the school district use to consult with parents of home schooled children with disabilities and how will the process operate throughout the school year to ensure that children with disabilities who are identified through the child find process can meaningfully participate in special education?

The district will consult with parents of home schooled children with disabilities on an annual basis by disseminating this memorandum and by asking home school representatives if he/she would like to meet with a public school representative. If a child is evaluated and found to be a child with a disability who is in need of special education services, the district will consider the child’s individual needs and provide free special education services to those students. Additionally, throughout the school year, home school parents are invited to contact a district representative by telephone or email if they have related questions.

Director of Special Education, Northern Lights Special Education Cooperative, 218-655-5018

5. Where, how, and by whom will special education and related services be provided to home schooled children with disabilities?

School districts are required to offer a free appropriate public education to children with disabilities who are enrolled in its public schools. Parents have the right to choose to send their child to a private school or provide state approved home schooling. However, no private or home schooled child with a disability has an individual right to receive all of the special education and related services that the child would receive if enrolled in a public school.

In consultation with parents of children with disabilities, decisions about how and where special education services will be provided are made on a case-by-case basis with consideration being given to the individual needs and circumstances of the child with a disability.

When special education and related services are provided to home schooled children with disabilities, they will be provided by qualified personnel. Such personnel will typically be employed and assigned by the school district. In some circumstances, however, the district may contract with qualified personnel who are not employees of the district.

6. What types of services may be provided?

The special education services that the district provides to home schooled children with disabilities may include all types of direct and indirect services, including transportation services. Indirect services may include providing consultation to assist home school personnel in meeting the needs of children with disabilities.

7. If the school district disagrees with the views of a home school official on the provisions of services or they types of services that will be provided, what information will be provided to the home school official?

In the event of a disagreement between a home school official and the district, the district will provide a written explanation of the reasons why it chose not to provide services directly or through a contract.

April 2015