



Northern Lights Special Education Cooperative

www.nlsec.org

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MEMORANDUM

TO: Principals/Representatives of Private Schools

FROM: Dena Hagen, Director of Special Education,
Northern Lights Special Education Cooperative

RE: *Special Education and Private School Children with Disabilities*

The Individuals with Disabilities Education Improvement Act (IDEA) requires that public school districts consult with and provide certain information to the representatives of private schools and to the representatives of parents of parentally placed private school students. I have enclosed a letter to parents of privately placed students for you to give to the parents of your students.

If you would like to schedule a meeting with me and, and if you choose, parent representatives to discuss the topics contained in this memorandum, please contact me at 218-655-5018. *If you are a private school representative and you do not desire to meet to engage in further consultation regarding the topics in this memorandum, please sign the attached form and return it to me at Northern Lights Special Education Cooperative, 16 East Hwy 61, Esko, MN 55733, at your earliest convenience.*

1. What is the 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 who are attending private elementary and secondary schools, including religious schools. The child find process for private school 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 reevaluated at least once every 3 years. Therefore, the school district must initiate a re-evaluation of a private school 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 private school children with disabilities who are not receiving special education and related services from the local district. Such children need to be re-evaluated to determine whether they continue to have a disability for the private school child count and funding purposes.

2. How can parentally placed private school children suspected of having a disability participate equitably in the child find process?

The parent, guardian, or teacher of a child who is attending a private school located 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 student.

3. How does the Northern Lights Special Education Cooperative inform parents, teachers and private school officials 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 representative of the director will meet with private school representatives to discuss the child find process.

4. What process will the school district use to consult with private officials and parents of parentally placed 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 private school officials and parents of parentally placed children with disabilities on an annual basis by disseminating this memorandum and by asking private 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, private school officials and parents or parentally placed children with disabilities are invited to contact a district representative by telephone or email if they have related questions.

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5. Where, how, and by whom will special education and related services be provided to parentally placed private school 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. However, no parentally placed private school child with a disability has 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. Consequently, if parents choose to send their child to a private school, the child may receive no direct education services from the school district or the services may be limited.

In consultation with representatives of private schools and 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. The school district may choose to provide the services at a private school, including a religious school, but the district is not required to do so. One of the many factors that the district may consider is whether providing services at the private school site will minimize the need for transportation and the disruption to the educational program of all children receiving services.

When special education and related services are provided to parentally placed private school 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 private school children with disabilities may include all types of direct and indirect services, including transportation services. Indirect services may include, but are not limited to, assisting with the professional development of private school teachers who work with children with disabilities and providing consultation to assist private school personnel in meeting the needs of children with disabilities.

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

In the event of a disagreement between a private 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.

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