

Special Education – Private Schools

IDEA requires special education services for two different groups of private school students: those referred or placed by the district and those enrolled by parents. The law, rules and requirements for these groups of students are vastly different. It is the policy of the district to implement differentiated procedures and services for these districts.

The district shall ensure that a student with a disability who is placed in or referred to a private school or facility by the district is provided special education and related services at no cost to the parents, is provided an education that meets the standards that apply to education provided by the district and has all of the rights of a student with a disability who is served by the district.

If a student with a disability has a free appropriate public education available to him/her and the parents choose to place the student in a private school, the district is not required to pay the cost of the student's education, including special education and related services, at the private school.

All parentally-placed private school students attending a private school within the district's boundaries will be included in the district's special education private school student count and the private school students for whom the district may provide services.

END OF POLICY

Legal Reference(s):

ORS 343.155

OAR 581-015-0126 to -0141
OAR 581-015-0151 to -0196
OAR 581-015-0705

OAR 581-015-0706
OAR 581-015-0709
OAR 581-015-0710

Assistance to States for the Education of Children with Disabilities, 34 CFR Sections 300.302, 300.400 - 300.403, 300.450 - 300.462 and 300.554. Education of the Handicapped Act of 1975, as amended, 20 U.S.C. Sections 1400-1427, as amended and renamed Individuals with Disabilities Education Act (IDEA), P.L. 101-476, 104 Stat 1103 (1990), as amended P.L. 105-17 (1997), as amended 108-446 (2004). [P.L. 94-142 is a well-known “short” reference to this federal legislation.]