

**SANTA CLARA COUNTY  
NORTH WEST SPECIAL EDUCATION LOCAL PLAN AREA**

**CHILDREN WITH DISABILITIES ENROLLED IN PRIVATE  
SCHOOLS BY THEIR PARENTS**

**Policy**

The Child Find process in Santa Clara County SELPAs shall be designed to ensure equitable participation of parentally placed private school children with disabilities and an accurate count of such children. **It is also the policy of Santa Clara County SELPAs for Districts of the parent or guardian's Residence ("DOR") to stand ready to offer a free appropriate education ("FAPE") to identified students ages 3 to 21 if and when a parent/guardian requests development of an IEP.** Compliance with this policy and its



**B. Child Find Requirements**

The LEA will conduct Child Find activities that will be:

1. conducted in a time period comparable to Child Find for public school children.
2. designed to ensure “equitable participation” of parentally placed children in private school and an accurate count.
3. designed to include activities similar to those activities undertaken for public school children.

*\*\*Costs for Child Find activities are not part of the proportionate share of federal funding.*

**C. Calculation of Proportionate Share of Federal Funding**

In calculating the proportionate share of federal funding, the LEA will:

1. consult in a timely and meaningful manner with representatives of private schools.
2. conduct a thorough and complete child find process to determine the number of parentally placed children with disabilities attending private schools located in the LEA.
3. Maintain, (and provide to CDE), records of the number of children evaluated, found eligible, and served.

**D. Written Affirmation Form Signed by Private School Representatives**

1. The LEA will obtain written affirmation signed by the representatives of the participating private schools.
- 2.

fashion, the LEA has the opportunity to offer a services plan, as appropriate, and that the DOR has the opportunity to develop an offer of FAPE *as appropriate*. Thus, the two agencies may decide to hold one meeting where representatives of both agencies are present to ensure compliance by each agency.

2. In cases where the DOR is located outside Santa Clara County, the LEA continues to be responsible for initial assessment. The LEA shall contact the DOR after receipt of written parental consent and invite the DOR to the eligibility IEP meeting. If the parent states that he/she intends to enroll in public school, the LEA will contact the DOR to convene an IEP meeting in order to develop the full offer of FAPE.



- a) I understand that the DOR continues to offer my child a free appropriate public education (including appropriate special education and related services) if he/she is enrolled in public school. I continue to unilaterally place my child in a private school; and:

I would like my child to continue to receive services pursuant to his/her services plan. I am not interested in enrolling my child in public school. (In this case, the DOR will forward within 3 business days a copy of this document to the LEA)

OR

- b) I am interested in enrolling my child in public school. I would like to schedule an IEP team meeting for my child. Please call me at: [parent inserts phone number] in order to schedule the IEP meeting.
4. Notwithstanding paragraphs G (1) and (2) above, the DOR shall convene an IEP team meeting at least every three years in order to determine continuing eligibility for special education.

## **H. Dispute Resolution**

1. Pursuant to federal regulations, parents are not entitled to a due process hearing involving disputes over the contents of the services plans, their quality, or their implementation. A parent's right to

