

**VENTURA COUNTY SPECIAL EDUCATION LOCAL PLAN AREA  
CHILDREN WITH DISABILITIES ENROLLED BY THEIR PARENTS IN PRIVATE SCHOOLS**

The Ventura County Special Education Local Plan Area (SELPA) will ensure that school districts locate and identify all children with disabilities enrolled by their parents in private elementary and/or secondary schools that are registered with the California Department of Education. The SELPA will ensure that each school district will accept and consider referrals for assessment and will offer a free appropriate public education (FAPE) to such children who are determined to be eligible for special education services. These procedures are intended to ensure compliance with all federal and state laws and regulations.

Legal Citations: 34 Code of Federal Regulations sections 300.130-144 and California Education Code Sections 56170-56174.5

It shall be the responsibility of each school district (district) to:

- Locate and identify all children with disabilities enrolled by their parents in private elementary and secondary schools within their district who may be eligible for special education services.
- Evaluate upon request, and if eligible, offer a Free and Appropriate Public Education (FAPE) to all children with disabilities enrolled by their parents in private elementary or secondary schools (regardless of where the private school is located) when custodial parent(s) reside in their district.

**A. Child Find, Referral and Assessment**

1. The Ventura County SELPA will:

- a) Provide information on its website for local private schools about the provisions in the Federal Law for students enrolled by their parents in private schools who may be eligible for special education services. Information will include criteria for special education eligibility and special education referral procedures.
- b) Ensure that child find activities undertaken for private school students are comparable to activities undertaken for children with disabilities in public elementary and secondary schools. This will include dissemination of the special education child find brochures in English and Spanish to all private schools in the SELPA two times per year, as well as periodic Public Services Announcements, and an annual booth at the county fair.

2. Districts that have private schools within their boundaries will:

- a) Identify all private schools within their boundaries that have an affidavit on file with the California Department of Education and have six or more students enrolled.
- b) Between October 1 and December 1 each year, ask private schools to list all students enrolled in the school who are eligible for special education services, with and without ISPs, and the districts of residence of those children.

- c) Provide the districts of residence within the Ventura County SELPA names of those students identified in each private school who are from their district.
- d) Hold at least one annual meeting at which representatives of the private school (including parents) will be given an opportunity to give input about:
  - The child find process
  - How the consultation process will operate through the school year.

If the private school representatives do not attend, the information will be mailed to them.

- e) Obtain written affirmation from each private school within their boundaries that they were given opportunity to participate in a timely and meaningful consultation with the district.
- f) Upon request, provide a written explanation to the private school if the district disagrees with the input of the private school.
- g) (For families residing outside Ventura County SELPA) Follow all appropriate policies and procedures for assessment for eligibility for special education services. If eligible, forward all assessment reports to the district of residence.

3. Private schools will:

- a) Refer students for special education instruction and services only after the resources of the general education program have been considered and, where appropriate, utilized.
- b) (For families living within Ventura County SELPA) Direct referrals to the district where custodial parent(s) reside for assessment for eligibility for special education services, regardless of location of private school.
- c) (For families living outside Ventura County SELPA) Direct referrals to the district in which the private school is located for assessment for eligibility.
- d) Participate on an ongoing basis with the district in which they are located to give input on the provision of special education services.

4. The district where parent(s) reside (within Ventura County SELPA) will:

- a) Follow all appropriate policies and procedures for assessment for eligibility for special education services.
- b) For students who have been assessed, found special education eligible, and offered FAPE, but the family continues to enroll the child in the private school, will, with parent permission forward a copy of the IEP to the district where the private school is located.
- c) On an annual basis, may contact the parents to remind them of the offer of FAPE.

**B. Guidelines for Services**

Each district in the Ventura County SELPA shall spend a proportionate share of federal funds to provide special education and related services to children with disabilities in private schools as to those spent on children in public schools. These funds may not be used for repair, remodeling or construction of private school facilities. Annually the SELPA Assistant Superintendent shall inform each district of the amount of federal special education dollars to be spent on private school students, based on December 1 pupil count.

Each district that has private schools located within its boundaries in the Ventura County SELPA shall develop guidelines regarding the special education and related services to be provided to special education eligible students in private schools. Such decisions shall be made after consulting in a timely and meaningful way with representatives of private school(s) within their boundaries and shall include:

1. Which eligible children may receive services
2. Types of services to be provided (including direct and alternative methods of service delivery)
3. How, where and by whom the services will be provided

Guidelines will be forwarded to the SELPA. SELPA will make a compilation of all guidelines available to all districts within the SELPA.

**C. Initial Individualized Education Program (IEP) Team Meeting**

When all assessment is completed, the district of residence shall convene the initial IEP team meeting within 60 calendar days, excluding school holidays in excess of 5 days, of receipt of the signed Assessment Plan. Representatives of private schools will be invited, with parent permission.

If the IEP team determines that the student is eligible for special education services, the IEP team shall develop an appropriate IEP for the student, which serves as an offer of FAPE in accordance with federal and state laws and regulations. Such offer shall be recorded on appropriate IEP forms.

If the parent agrees that the IEP would be the appropriate program if the child were enrolled in the public school, the parent initials "yes" to all statements and signs the IEP. If the parent wants to continue to enroll the child in the private school, the "Private School" box will be checked.

If the private school is located within the district of residence, an Individual Service Plan (ISP) will be developed according to district guidelines.

If the private school is located in another district, the district of residence will forward the IEP to that district and inform the family of the process for requesting an ISP.

**D. Individual Services Plan (ISP)**

The ISP will be developed by the district in which the private school is located, on the SELPA ISP form. The ISP will specify services that the district has determined it will make available, according to its guidelines.

A representative of the private school will be invited to attend the ISP meeting. If the representative of the private school cannot attend the meeting, the district special education case manager will consult with the private school representative by other methods such as sending a copy of the ISP (with parent permission) and/or individual or conference calls.

The services provided pursuant to an ISP may be provided at a private school, including a religious school, to the extent consistent with law. Services must be provided by personnel meeting the same standards as personnel providing the services in public schools. These personnel shall be employees of the district or contractors of the district. However, the Ventura County SELPA and/or the district shall not use federal special education funds to finance the existing level of instruction in a private school or to otherwise benefit the private school or the general needs of other students enrolled in the private schools.

If necessary for the child to benefit from or participate in the services provided pursuant to the ISP, a private school child with a disability must be provided transportation to/from the service location. However, districts are not required to provide transportation from home to the private school. The cost of the transportation may be included in calculating whether the district has met the obligation to spend a proportionate share of federal funds on providing special education and related services to private school children with disabilities eligible for special education services as it spends on its children enrolled in public schools.

Any specialized equipment provided to benefit private school children with disabilities shall remain the property of the district and must be able to be removed without remodeling the private school facility. It shall be returned to the district when no longer required by the child, the child is no longer enrolled in the private school, or removal is necessary to avoid unauthorized use.

The district does not have the responsibility to develop/continue an ISP if:

- a) The proportionate share of federal funds has been expended
- b) The student's needs do not fall within district guidelines for services.

#### **E. Review**

If an ISP is developed, it will be reviewed and updated on an annual basis.

1. Annual – A representative of the private school will be invited to participate in the meeting. If three documented attempts to schedule a meeting with the parents are unsuccessful, the ISP review will be held without them. A copy of the new ISP will be sent to the parent and the ISP implemented unless parent declines in writing. A copy will also be sent to the private school, unless the parent indicates otherwise.
2. Reevaluation for eligibility and instructional needs will be considered upon parent or district request.

#### **F. Due Process and Complaints**

Parents will be informed that as long as they continue to place their child in a private school their rights for due process are limited.

A school district is NOT required to pay for the cost of educating a child with a disability at a private school (including special education and related services) if the school district made FAPE available to the child and the parents voluntarily elected to place the child in a private school. 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 he/she would receive if enrolled in a public school.

Disputes regarding whether a school district made FAPE available to the child via the IEP, as well as disputes about identification and evaluation of parentally-placed private school children with disabilities, may be resolved pursuant to due process procedures specified in the "Parent Rights for Special Education."

Due process procedures DO NOT apply to disputes regarding provision of services specified in the ISP.

Parents have the right to file a complaint alleging a violation by the SELPA or district in implementation of state or federal law on any other issue, according to complaint procedures specified in the "Parent Rights for Special Education."

Private Schools may submit a complaint to California Department of Education if they believe that the district did not:

- Engage in meaningful and timely consultation.
- Give due consideration to the view of the private school official.

**G. Record Keeping**

1. The district of residence will report through CASEMIS each parentally placed private school student evaluated to determine eligibility for special education services. They also will report each child found eligible.
2. The district where the private school is located will report through CASEMIS each student who is served through an ISP.

**VENTURA COUNTY SELPA INDIVIDUAL SERVICES PLAN (ISP)  
FOR PARENTALLY – PLACED PRIVATE SCHOOL STUDENT**

**STUDENT NAME:** \_\_\_\_\_

**District of Residence:** \_\_\_\_\_

**Meeting Purpose:**

- \_\_\_\_\_ Initial
- \_\_\_\_\_ Review
- \_\_\_\_\_ Triennial Review

**Dates:**

Service Plan Meeting Date: \_\_\_\_\_  
 Implementation Date: \_\_\_\_\_

Next Review Date: \_\_\_\_\_  
 Triennial Review Date: \_\_\_\_\_

DOB: \_\_\_\_\_ Age: \_\_\_\_\_ Gender: \_\_\_\_\_  
 Parent/Guardian: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 \_\_\_\_\_  
 Home Phone: \_\_\_\_\_  
 Work Phone: \_\_\_\_\_  
 Home Language: \_\_\_\_\_

Private School: \_\_\_\_\_  
 Current Teacher: \_\_\_\_\_  
 Home School: \_\_\_\_\_  
 District Case Manager: \_\_\_\_\_  
 Eligibility: \_\_\_\_\_  
 Ethnicity: \_\_\_\_\_  
 Student Language: \_\_\_\_\_

**Health Information:**

Vision: \_\_\_\_\_ Hearing: \_\_\_\_\_ Medication: \_\_\_\_\_

**Parent/Student Concerns:**

\_\_\_\_\_

**Summary of Current Educational Performance/Assessment:**

\_\_\_\_\_

Student's Strengths: \_\_\_\_\_

Student's Needs: \_\_\_\_\_

Describe how the disability affects his/her involvement in the general education curriculum. \_\_\_\_\_

This plan will be implemented as written unless parent declines services.

**Signatures of Those in Attendance:**

Administrator \_\_\_\_\_ Resource Specialist: \_\_\_\_\_

Speech-Language Pathologist: \_\_\_\_\_ Other: \_\_\_\_\_

Representative of Private School: \_\_\_\_\_

(If representative did not attend, specify how input was obtained:  telephone  writing.)

\_\_\_\_\_ I understand that my child is eligible for special education services and that an IEP will be implemented upon enrollment in public school. I will contact the administrator above if I decide to enroll my child in public school.

\_\_\_\_\_ I decline any services at this time.

Signature of Parent/Guardian/Authorized Representative

Date

Name: \_\_\_\_\_

Date of Meeting: \_\_\_\_\_

Measurable Annual Goal: \_\_\_\_\_

\_\_\_\_\_

Objectives/Benchmarks \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Measurable Annual Goal: \_\_\_\_\_

\_\_\_\_\_

Objectives/Benchmarks: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Method for informing parent of progress toward goals:  Writing  Conference  Phone  Other  
Person responsible: \_\_\_\_\_

Services (frequency, duration, location): \_\_\_\_\_

\_\_\_\_\_

Percent of school day student receives special education services outside of general education:

\_\_\_\_\_

Suggested Accommodations/Modifications of General Education Program: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Other (may include transition services for students sixteen and older or transfer of rights at age 18):

\_\_\_\_\_

\_\_\_\_\_

**Supports for School Personnel as Needed:**

Consultation. Area(s) \_\_\_\_\_  
Contact Case Manager to request.

Staff Development. Topics: \_\_\_\_\_

Contact \_\_\_\_\_ at (phone) \_\_\_\_\_ to request.

**PLAN DE SERVICIOS INDIVIDUALES (ISP) DE SELPA CONDADO DE VENTURA  
PARA ESTUDIANTES EN ESCUELA PRIVADA**

**Propósito de la reunión:**

\_\_\_\_\_ Inicial:  
\_\_\_\_\_ Revisión  
\_\_\_\_\_ Revisión de Tres Años

**Fechas:**

Fecha de Reunión del Plan: \_\_\_\_\_ Fecha de revisión: \_\_\_\_\_  
Fecha de Implementación: \_\_\_\_\_ Revisión de Tres Años: \_\_\_\_\_

FDN: \_\_\_\_\_ Edad: \_\_\_\_\_ Sexo: \_\_\_\_\_  
Padres/Tutor: \_\_\_\_\_  
Dirección: \_\_\_\_\_  
Teléfono en casa: \_\_\_\_\_  
Teléfono en el trabajo: \_\_\_\_\_  
Idioma en el hogar: \_\_\_\_\_

Escuela Privada: \_\_\_\_\_  
Maestro/a actual: \_\_\_\_\_  
Escuela local: \_\_\_\_\_  
Gerente del Caso en el Distrito: \_\_\_\_\_  
Elegibilidad: \_\_\_\_\_  
Etnicidad: \_\_\_\_\_  
Idioma de alumno/a: \_\_\_\_\_

**Información de Salud:**

Vista: \_\_\_\_\_ Oído: \_\_\_\_\_ Medicinas: \_\_\_\_\_

**Preocupaciones del Estudiante/Padres:**

\_\_\_\_\_

**Resumen Desempeño/Evaluación Actual:**

\_\_\_\_\_

Fortalezas del Estudiante: \_\_\_\_\_

Necesidades del estudiante: \_\_\_\_\_

Describe cómo esta discapacidad afecta su participación en el programa general: \_\_\_\_\_

Este plan se implementará según está redactado a menos que los padres declinen los servicios.

**Firmas de los Asistentes:**

Administrador/a \_\_\_\_\_ Especialista en Recursos: \_\_\_\_\_

Patólogo(a) de Habla-Lenguaje: \_\_\_\_\_ Otra persona: \_\_\_\_\_

Representante de la Escuela Privada: \_\_\_\_\_

(Si esta persona no asistió, especifique cómo se obtuvo la información: o teléfono o por escrito)

\_\_\_\_\_ Comprendo que mi hija/o necesita servicios de educación especial y que se implementará un Plan Individual de Educación cuando él/ella ingrese a la escuela pública. Me comunicaré con la persona de la administración arriba anotada si es que decido matricular a mi hija/o en una escuela pública.

\_\_\_\_\_ Al presente, declino los servicios.

\_\_\_\_\_  
Firma de Padres/Tutor/Representante Autorizado

\_\_\_\_\_  
Fecha

Nombre: \_\_\_\_\_

Fecha de la Reunión: \_\_\_\_\_

**Meta Anual Medible:** \_\_\_\_\_

Objetivos/Metas parciales: \_\_\_\_\_

**Meta Anual Medible:** \_\_\_\_\_

Objetivos/Metas parciales: \_\_\_\_\_

**Método para informar a los padres del progreso hacia las metas:**  Por escrito  Conferencia  Teléfono  Otro

Persona responsable: \_\_\_\_\_

**Servicios (frecuencia, duración, lugar):** \_\_\_\_\_

**Porcentaje del día escolar que recibirá servicios de educación especial fuera del programa de educación general:**

\_\_\_\_\_

**Adaptaciones sugeridas/Modificaciones al Programa de Educación General:** \_\_\_\_\_

**Otros (puede incluirse servicios de transición para alumnos de dieciséis años de edad o mayores, o transferencia de derechos cuando cumplen 18 años):** \_\_\_\_\_

**Apoyos al Personal Escolar según se necesiten:**

Consulta. Area(s) \_\_\_\_\_  
Comunicarse con el Gerente del caso.

Instrucción al Personal. Tópicos: \_\_\_\_\_

Comunicarse con \_\_\_\_\_ al teléfono \_\_\_\_\_ para solicitar.