



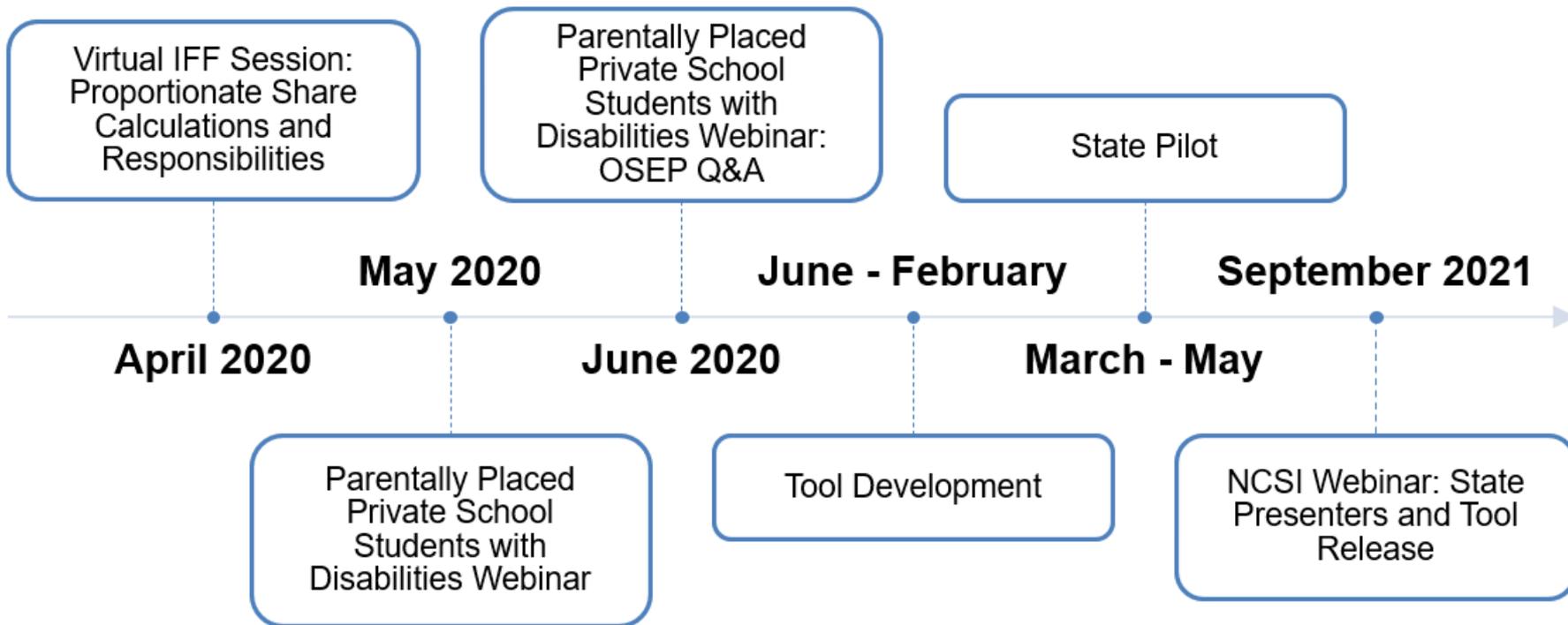
# Parentally-Placed Private School Students with Disabilities

September 17, 2021

# Agenda

- In Review
- State Sharing
  - Massachusetts
  - South Carolina
  - Office of Non-Public Education
- New Tool Release
  - State Self-Assessment
  - Proportionate Share Tracker

# In Review



# Massachusetts

# MA IDEA Equitable Services Resources

- Equitable services are services for parentally-enrolled children with disabilities attending private, including religious, elementary and secondary schools in the Local Educational Agency, **which in Massachusetts includes home-schooled students**. This requirement is separate and distinct from the Massachusetts state law regarding special education services to students attending private schools
- DESE has developed many helpful tools and resources for educator and personnel in **Massachusetts about IDEA Equitable Services for Children With Disabilities Enrolled by Their Parents in Private Schools such as:**
- **IDEA Equitable Services webpage** <https://www.doe.mass.edu/sped/proshare/default.html>
- **IDEA Equitable Services Online Learning Resource** <https://www.doe.mass.edu/sped/videos/equitable-services/index.html#/>
  - The online learning resource has 8 sections and includes federal and state resources [https://www.doe.mass.edu/sped/videos/equitable-services/index.html#/lessons/-7kdrh0QpJTNwp4K8ml\\_9eDARBixJBoA](https://www.doe.mass.edu/sped/videos/equitable-services/index.html#/lessons/-7kdrh0QpJTNwp4K8ml_9eDARBixJBoA) as well as **interactive questions and answers** <https://www.doe.mass.edu/sped/videos/equitable-services/index.html#/lessons/fkpCDdcaUt03F0XUT8slQhGG0Jru2Pfx>.
- **Federal Special Education Entitlement Grant Quick Reference Guide** <https://www.doe.mass.edu/grants/2022/240/>
- DESE has also issued **Special Education Administrative Advisory 2018-1** <https://www.doe.mass.edu/sped/advisories/2018-1.html>, which we update regularly.



# Monitoring and Requirements

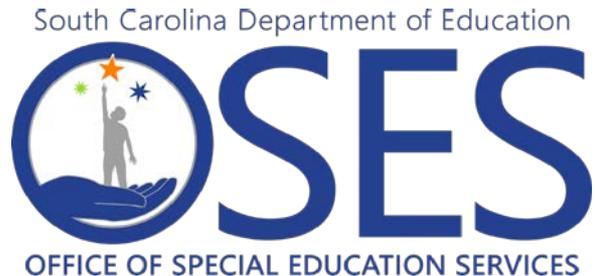
DESE	Local Education Agencies (LEA)
<p>Annually, DESE receives the following information from the Local Educational Agencies with their IDEA Grant applications:</p> <ul style="list-style-type: none"><li>•Child count &amp; calculation</li><li>•Number of private school students evaluated, found eligible, and served pursuant to a services plan</li><li>•Planned expenditures</li><li>•Potential carry-over</li><li>•IDEA mailbox for questions throughout the year</li></ul>	<p>Annually, Local Educational Agencies keep on file and document:</p> <ul style="list-style-type: none"><li>•Outreach attempts for consultation, nature of the attempts, and outcomes of the attempts</li><li>•Written affirmations and consultation notes. Affirmation is more than a sign-in sheet or record of attendance.</li><li>•Written explanations</li><li>•Services plans for students receiving equitable services</li><li>•Financial records documenting expenditures from the IDEA budget</li></ul>

# MA DESE strives to improve

- DESE has created the IDEA Equitable Services working group that includes DESE staff, representatives of private schools, and representatives of public-school districts.
- This group met four times during the summer and then participated in a survey. The purpose was to brainstorm strategies for addressing challenges in providing IDEA equitable services and to identify best practices that schools and districts are using to help improve the process of providing equitable services to homeschooled and parentally-placed private school, as well as to provide feedback and recommendations to the Commissioner for clear action steps in improving IDEA Equitable Services for students across the state and strengthening communications between public and nonpublic schools.
- The recommendations will help DESE design technical assistance, webinars, and professional development that support the needs of schools and districts in providing IDEA equitable services to homeschooled and parentally-placed private school students with disabilities.



# South Carolina



# Parentally-Placed Private School Students with Disabilities

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# South Carolina

77 traditional LEAs and 8 “statewide” LEAs

Private schools

- 2020-2021--228 private schools reported in 49 LEAs
- 36,508 total students-21% increase over 19-20\*
- Two largest county-wide LEAs (Charleston and Greenville) have 27 and 32
- Total number of students reported was 21% higher than 19-20

Homeschools

- 28,316—37% increase over 19-20
- State law requires Homeschool Associations to report the **number** of students enrolled to the District Superintendent by January 30 of each year.
- Three Options
  - Option 1—Homeschool application approved by the District
  - Option 2—Independent Association of Homeschools
  - Option 3— Other Homeschool Associations of at least 50 members

\*the 19-20 report was due two weeks after schools closed for COVID-19; we believe 19-20 is underreported

# Identification of issues through fiscal monitoring

- Calculation based on students served, not those who are eligible
- Not expending proportionate share
- Not offering timely/meaningful consultation
- Not considering homeschool students
- Spending the proportionate share from the general fund rather than from IDEA

# Actions to date within OSES:

- Established internal workgroup
- Developed presentations for technical assistance
- Identified of conflicting information within OSES—  
Fiscal/Program/Data
- Clarified calculation in LEA application
- Worked with Office of Research to explain how we use the private/homeschool data

# Actions to date within OSES

- Prepared “crosswalk” between April 2011 Q&A and proposed revision published December 2020
- Review/revision of fiscal monitoring process (added PPPSC to Track B)—PPPSC is addressed at all levels
- Participated in Focus Group for NCSI Proportionate Share Tools (April 2021)
- Used NCSI self-assessment tool to identify “gaps” and help determine additional guidance/resources needed
- Developed process to monitor expenditure of proportionate share and work with LEAs to determine why funds are not being expended

# Actions to date with LEAs:

- Provided webinar November 2020 on the basic requirements and specifically to address the issues found in fiscal monitoring
- Revised and disseminated PPPSC letter to Superintendents and Directors
- Revised and disseminated sample Affirmation Letter
- Distributed proposed Q&A to LEAs with highlighted sections
- Formed small workgroup of LEA directors
  - Used portions of the NCSI self-assessment to guide conversation about what LEAs need; how to provide that assistance
  - Created a Google format for sharing ideas and practices
  - Webinar September 13--feedback

# Sample Resources and Feedback

We used Google Drive to house the documents. This table gives a brief explanation of the content and a link.

## Resources Available:

FOR DIRECTORS		Date added/updated
<a href="#">Regulations-Children with Disabilities Enrolled by Their Parents in Private Schools when FAPE is not an issue</a>	300.130-144 300.300(d)(4)	July 7, 2021
<a href="#">PPPSC Quick Reference Sheet</a>	Checklist with links to the regulations	July 7, 2021
<a href="#">Private School Q&amp;A</a>	Office of Special Education Programs (OSEP) April 2011*	July 7, 2021
<a href="#">Children with Disabilities in Private Settings</a>	OSes PPPSC Presentation from November 2020	July 7, 2021
<a href="#">State Definitions</a>	State definitions of private school, elementary and secondary from the Special Education Process Guide-Chapter 9	September 5, 2021
<a href="#">PPPSC FAQ</a>	Questions/Answers from OSes to LEAs-updated periodically	September 4, 2021
<a href="#">Confidentiality/FERPA</a>	link to FERPA suggestions on getting parental consent reminder to check local policies/procedures	September 8, 2021
<a href="#">Sample Procedures</a>	tracking procedures from Lex/Rich 5 January 2021 memo from Rebecca Davis	September 12, 2021 July 7, 2021
<a href="#">LEA Responsibilities/PPPSC Affirmation of Consultation Invitation to Consultation</a>	January 2021 sample Affirmation form Sample invitation to consultation meeting	July 7, 2021 September 12, 2021
<a href="#">Sample Consultation Sign in Sheet</a>	Sample sign in sheet for consultation meetings	July 7, 2021
<a href="#">The Child Find Requirements and PPPSC</a>	Sample ppt for consultation meetings or parent training	September 12, 2021
<a href="#">Private School Agenda</a>	Sample Agenda that could be personalized by the district	July 7, 2021
<a href="#">Private School Followup Letter</a>	Can be sent to those who didn't attend/participate	September 11, 2021

# Future plans:

- Continue workgroup for brainstorming, feedback, practical solutions
- Continue the development of resources, including “mini” units in Moodle.
- Implement process to monitor the expenditures of proportionate funds and a method to confirm that districts engaged in meaningful consultation and developed well reasoned plans to expend those funds prior to allowing the movement to other line items.
- Discuss whether PPPSC should be added to our risk assessment. PPPSC is already addressed through self-assessment, Tier II and Tier III monitoring.
- Continue working with Data Team in the collection of PPPSC information. In October 2022, we will begin to collect the number of “eligible” PPPSC students through our data system.

# Office of Non- Public Education

# New Tools

# SEA Self-Assessment

## State Education Agency Self-Assessment

### Children with Disabilities Enrolled by Their Parents in Private Schools



#### INTRODUCTION

The purposes of the Individuals with Disabilities Education Act (IDEA) include ensuring all children with disabilities have available to them a free appropriate public education (FAPE), protecting the rights of children with disabilities and their families, and assisting education agencies to provide for the education of all children with disabilities (20 U.S.C. 1400(d)). Therefore, it provides benefits and services to children with disabilities in public schools and also requires local education agencies (LEAs) to provide for the equitable participation of children with disabilities enrolled by their parents in nonpublic (private) schools in special education and related services under IDEA (34 CFR §§300.130-144).

An LEA's obligations to provide equitable services<sup>1</sup> to parentally-placed private school children with disabilities are different from its responsibilities to children enrolled in public schools or placed in a private school at public expense by a public agency (rather than by parents). Parentally-placed private school children with disabilities do not

have the individual entitlement to FAPE and special education services they would receive if they were enrolled in a public school. However, each LEA is required to determine the number of eligible children with disabilities enrolled by their parents in private schools located within their jurisdiction; calculate a proportionate share amount of IDEA Section 611 (age 3-21) funds and Section 619 (age 3-5) preschool funds; and, in ongoing consultation with private school representatives and representatives of parents of parentally-placed children with disabilities, expend a proportionate share of its IDEA Part B federal funds to provide equitable services to parentally-placed private school children with disabilities.

State education agencies (SEAs) are required to ensure that LEAs meet both the programmatic and fiscal requirements of IDEA related to the equitable service provision for parentally-placed private school students. While the state may calculate proportionate share amounts on behalf of LEAs, it is critical for SEAs to have clearly defined procedures and guidance in place to promote LEA

compliance and a system for technical assistance, oversight, and monitoring because the implementation of the equitable services requirements most often takes place at the local level.

This self-assessment contains checklists to guide an SEA through an evaluation of the information it makes available to its LEAs through written guidance, technical assistance, and monitoring activities. The self-assessment also includes reflection prompts for examining the role of both the SEA and the LEA in ensuring IDEA's equitable services requirements are met and identifying potential areas for improvement. It is organized into seven topical areas: Child Find, Annual Child Count, Proportionate Share of Funds, Consultation, Equitable Services, Dispute Resolution, and Communication and Coordination.

<sup>1</sup> Note: This Self-Assessment is specific to the requirements under Part B of IDEA. There are also provisions under the Elementary and Secondary Education Act (ESEA) for the equitable participation of children attending private schools, separate and apart from IDEA. Meeting the ESEA requirements does not satisfy IDEA requirements. States may choose to coordinate IDEA efforts with ESEA activities but must ensure that both IDEA and ESEA requirements are met.

# Proportionate Share Tracker

## LEA Template for Tracking Proportionate Share Data for Parentally-Placed Private School Students with Disabilities

LEA		
Fiscal Year		
IDEA Part B 611 Subgrant Amount	\$	-
IDEA Part B 619 Subgrant Amount	\$	-
Prior FY Total Child Count (3-21)		<small>This total child count includes all eligible children (public and private)</small>
Prior FY Total Child Count (3-5)		<small>This total child count includes all eligible children (public and private)</small>

Proportionate Share Amount Calculated from IDEA Part B Section 611	\$	-
Proportionate Share Amount Calculated from IDEA Part B Section 619	\$	-
Total amount of IDEA Part B Funds to be Spent on Equitable Services	\$	-

These amounts are automatically calculated, do not enter an amount.

Total amount of IDEA Part B Section 611 Funds allocated or expended for Equitable Services		
Total amount of IDEA Part B Section 619 Funds allocated or expended for Equitable Services		
	Matches Required Amount	Validation <small>Font Size</small>

Please note, the LEA maintains the flexibility to use any portion of its IDEA Part B Section 611, Section 619, or a combination of those funds to meet proportionate share requirements if the total equals the required amount.

Initial here to indicate agreement with this statement.

The LEA understands requirements for timely and meaningful consultation with a representative group of private schools and parents during the design and development of special education and related services. Timely and meaningful consultation is not meant to be a stand alone meeting with private school representatives but constitutes ongoing collaboration to understand the needs of parentally-placed private school children with disabilities.

### Details for Each Private Elementary and Secondary School Located in the LEA

Private School Details					Proportionate Share Calculation <small>(note the per-school amounts are for information only, the LEA is not obligated to spend a specific amount)</small>			Current Year Child Find Data Collected				Meaningful Consultation				
Private School Name	Private School Address	Private School Representative Name	Private School Representative Phone Number	Private School Representative Email Address	Prior Year Private School Count (3-21) <small>(Total enrolled and eligible, not served)</small>	Prior Year Private School Count (3-5) <small>(Total enrolled and eligible, not served)</small>	Total Proportionate Share	Child Find Activities Conducted	Number of Children Evaluated	Number of Children Eligible	Number of Children Served under a Services Plan	Status	Meaningful Consultation Date(s)	Representative for Parents Participated?	Written affirmation obtained? (date)	Link to Written Affirmation, Documentation, and Other Supporting Evidence
					\$	-										
					\$	-										
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# General Discussion





Please participate in the evaluation survey!



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WestEd is the lead organization for NCSI. For more information about the work of WestEd, NCSI, and their partners, please visit [www.ncsi.wested.org](http://www.ncsi.wested.org) and [www.wested.org](http://www.wested.org).

