

## Parentally Placed Private School Students

The Individuals with Disabilities Education Act (IDEA) ensures a free appropriate public education (FAPE) for students with disabilities enrolled in public school, but a child with a disability who is parentally placed in a private school has no 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. However, IDEA does provide the opportunity for equitable participation in child find, special education and related services for students with disabilities enrolled by their parents in private school. IDEA regulations define these parentally placed private school students with disabilities as:

Children with disabilities enrolled by their parents in private, including religious, schools or facilities that meet the definition of elementary school in Sec. 300.13 or secondary school in Sec. 300.36, other than children with disabilities covered under Sec. 300.145 through 300.147. [34 CFR §300.130]

Additionally, IDEA regulations include preschool students in the definition of parentally placed private school students with disabilities *if they are enrolled in a private school that meets the definition of elementary school in Sec. 300.13.* [34 CFR

Before 2004, the local education agency (LEA) where these children's parents resided was responsible for engaging in timely and meaningful consultation with private school representatives, conducting a thorough and complete child find process and providing equitable services for students with disabilities. In the 2004 reauthorization of IDEA, a significant change was made—the LEA of location (the LEA in which the private school is located) became the responsible entity. In order to support parentally placed private school students with disabilities, IDEA 2004 explains the process and required considerations for timely and meaningful consultation. For further information, please see link below.

<https://dese.mo.gov/sites/default/files/USDoEONPEIDEA.pdf>