

**WINSLOW PUBLIC SCHOOLS
25 MESSALONSKEE AVENUE
WATERVILLE, ME 04901**

**SUPPLEMENTAL STATEMENT OF RIGHTS FOR PRIVATE SCHOOL
STUDENTS WITH DISABILITIES**

If you are a parent/legal guardian of a child with disabilities, or suspect that your child may have a disability that is covered by state or federal special education laws, and you have privately placed your child in a private school program located within this school district, you have the following rights:

- A. A parent/guardian has the right to have his/her child located, identified and evaluated by Winslow Public Schools as a possible special education student, including referral of the student to a Individualized Education Plan (IEP Team) to determine whether the student qualifies as a special education student, and to be re-evaluated at least every three (3) years to determine the students continued eligibility for special education. The Winslow Public Schools child find and referral obligations toward the student while he/she is in a parentally placed in a private school program are the same as for students enrolled in public school, as described in the attached special education "Procedural Safeguards Statement."
- B. Students with disabilities who have been parentally placed in private schools located within Winslow Public Schools do not have an individual right to special education and related services while enrolled in the private school.
- C. When designing and implementing special education services for parentally placed, private school children attending private schools within the school unit, the school unit has an obligation to consult in a timely and meaningful manner with representatives of those children and with private schools regarding the following issues:
 - 1. The child find process itself, and whether parentally placed private school and home school students participate in that process equitably, and how parents of these children and private schools are notified of the process;
 - 2. How the public school determines the proportionate share of federal dollars that will be spent;
 - 3. The consultation process itself, including how that process will operate throughout the school year so as to ensure meaningful participate in services;
 - 4. How, where, and by whom special education and related services will be provided, including the types of services and how such services will be apportioned if funds are insufficient to serve all children, and how and when these decisions will be made; and
 - 5. If the local unit disagrees with views of private school officials on the provision and types of services, the local unit will provide a written explanation of the reasons why the local unit made the decision that it did.
- D. Winslow Public Schools has a duty to expend on the pool of identified parentally-placed private school students with disabilities an amount that is the same proportion of the Winslow Public Schools' federal special education dollars as the number of those students is to the overall total number of students with disabilities within the Winslow Public Schools' jurisdiction. If some of those funds are not expended in a given year, the Winslow Public Schools must carry over unspent funds to the following year for expenditure on these services.

- E. Winslow Public Schools not the IEP Team, shall make the final decisions with respect to the services to be provided to eligible parentally-placed private school students with disabilities, following timely and meaningful consultation as described in Paragraph C above.
- F. For any parentally-placed private school student with a disability that Winslow Public Schools decides that it will provide services, the Winslow Public Schools shall initiate and conduct a meeting of the IEP Team PE to develop, review and revise a services plan detailing the special education and related services to be provided and including goals for measuring the outcome of such services. To the extent appropriate, the Team shall develop the services plan in a manner consistent with development of an Individualized Education Program.
- G. Parents/legal guardians may file a due process *hearing* with the Maine Department of Education, Division of Special Services (624-6650) alleging that the Winslow Public Schools has failed to meet its child find duty to locate, identify, and evaluate all private school/home school students with disabilities. Parents/legal guardians may also file due process *complaints* with the same agency regarding the implementation of any of the rights addressed in this document. Finally, private school officials may file a *complaint* with the Maine Department of Education, Division of Special Services, alleging that the Winslow Public Schools has not engaged in consultation that was timely or meaningful, or did not give due consideration to the views of the private school official.
- H. Should the parent/guardian of a parentally-placed private school student choose to enroll their child in the public school program where they reside, the disabled child would have a right to receive a free, appropriate public education and an Individualized Education Program (IEP) from that public school unit. Parent/legal guardian of such children who reside in Winslow Public Schools should contact the Special Services Office if you have any interest in exploring what special education services your child might receive if enrolled in the Winslow Public Schools. Winslow Public Schools would then convene an IEP Team meeting to discuss this with you further. If you enroll your child in public school, you and your child are entitled to all the rights set forth in the school unit's attached special education "Procedural Safeguards Statement."
- I. If a parent/legal guardian would like a complete copy of the state and federal regulations addressing the duties of Winslow Public Schools toward private school/home schooling students with disabilities or have any other questions, please contact the special education office at the Winslow Public Schools or the Maine Department of Education, Division of Special Services (624-6650). If a parent/legal guardian has any concerns about his/her child, please address those concerns in writing to:

Director of Special Services
20 Dean Street
Winslow, ME 04901

ADOPTED: May 21, 2003; **REVISED:** January 23, 2012

SOURCE: Board Policy