

# PARENTALLY-PLACED PRIVATE SCHOOL STUDENTS WITH DISABILITIES

## Quick Guide for Parents and Local Educational Agencies (LEAs)

This quick guide highlights key points and important resources for parents and LEAs to consider for students with disabilities enrolled by their parents in private schools, including religious, elementary and secondary schools located in the LEA.

Throughout this guide, when the term “parent” or “parents” is used, the term includes the definition aligned to Title 34, section (§) 300.30, Code of Federal Regulations (C.F.R.). That definition includes biological or adoptive parent, foster parent, guardian, an individual acting in the place of a biological parent with whom the child lives or is legally responsible for the child’s welfare or a surrogate parent as defined in 34 C.F.R. § 300.519.

In Florida, a parentally-placed private school student with a disability is a student with a disability whose parents choose to enroll them in a private school, including religious schools. These schools may be non-profit or for-profit, but only students in non-profit private schools can receive certain special education services through the local educational agency. This includes students who use state scholarships such as the Family Empowerment Scholarship for Students with Unique Abilities (FES-UA) or the Florida Tax Credit Scholarship. Private schools can serve children in the elementary grades (Kindergarten through grade 5 or 6) or in secondary grades (middle and high school). Students in for-profit private schools or home education programs are not eligible.



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The Florida Department of Education (FDOE) created a Technical Assistance Paper (TAP) to explain the rules for students with disabilities whose parents place them in private schools. These students are not enrolled in the LEA, so they do not receive a Free Appropriate Public Education (FAPE) through an Individual Educational Plan (IEP). Instead, the TAP gives clear guidance about what services may be available, who provides them, where they may take place and other important details like transportation.

✿ Note: The Quick Response (QR) code links directly to the [Technical Assistance Paper: Parentally-Placed Private School Students with Disabilities](#) for additional information.

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In February 2022, the U.S. Department of Education's Office of Special Education Programs (OSEP) released a Questions & Answers document about students with disabilities in private schools. Like Florida's guidance, this document explains the federal rules under the Individuals with Disabilities Education Act (IDEA) for children whose parents place them in private schools. These students are not enrolled in the LEA so FAPE is not required. The guide answers common questions about services plans, service providers, where services happen and transportation.

✿ Note: The QR code links directly to OSEP's [Questions and Answers on Serving Children with Disabilities Placed by Their Parents in Private Schools](#) for additional information.

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### CHILD FIND

LEAs must look for, identify and evaluate all students who may have disabilities, even if they attend a private or religious school. This applies to children ages 3 through 21. The process should be fair, timely and similar to what happens for public school students.



### INITIAL EVALUATIONS

- Parents can ask for an evaluation at any time.
- The LEA must respond within 30 days – either by requesting parent consent to evaluate or giving written notice if they decide not to.
- Once parents give consent, testing is usually finished within 60 days.

If parents disagree with the results, they can ask for an Independent Educational Evaluation (IEE).



### REEVALUATIONS

- Every eligible private school student with a disability must be reevaluated at least once every 3 years, even if they are not receiving services.
- The LEA where the private school is located is responsible for making sure reevaluations happen, unless both the parent and LEA agree one is not needed.
- Reevaluations help confirm what the student's needs are and if they are still eligible for services.



◆ Note: The QR code links directly to the IDEA regulations on Child Find (34 C.F.R. §§ [300.111](#) and [300.131](#)) for additional information.



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### CONSULTATION

LEAs must work with private schools and parents to plan services for students with disabilities in non-profit private schools. This process is called consultation, and it happens throughout the school year – not just once. Meetings may be held in person, online, by phone or by email.

During consultation, the LEA, private school and parents communicate about:

- How the Child Find process works.
- How many students are eligible.
- What types of services will be offered.
- When and where services will take place.



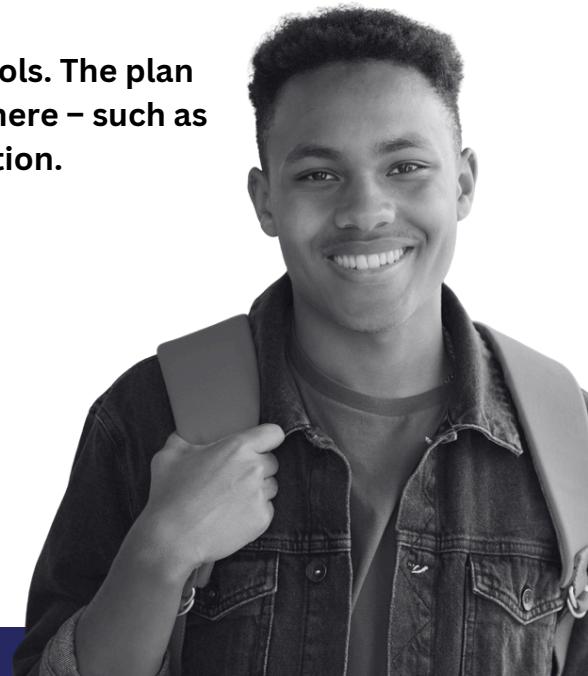
### SERVICES PLAN

Private school students do not receive an IEP but may be eligible for a Services Plan. This plan outlines the special education and related services the LEA will provide, based on consultation with the LEA, non-profit private school and parents.

Services may be more limited than in public schools. The plan specifies what will be provided, how often and where – such as in a public school, private school or another location.

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★ Note: The QR code links directly to the IDEA regulations on Child Find (34 C.F.R. §§ [300.111](#) and [300.131](#)) for additional information.



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### STATE SCHOLARSHIP PROGRAMS



Students with disabilities in Florida may also use state scholarships such as the FES-UA or the Florida Tax Credit Scholarship.

- A student may receive both a scholarship and services through a Services Plan.
- If a student using FES-UA needs a new matrix of services score, wants to learn about FAPE options or plans to return to public school, the LEA must evaluate the student and, if eligible, create an IEP.



◆ Note: The QR code links directly to  
the [FDOE Office of School Choice](#).

### PROPORTIONATE SHARE



LEAs must set aside a fair share of federal IDEA Part B funds for services to non-profit private school students with disabilities, based on their numbers in the LEA.

Two funding streams are used:

- Section 611: Ages 3-21
- Section 619: Ages 3-5 (preschool)

Funds can support services like direct support, consultation or equipment. Unused funds carry over for one year, then may revert to public school use under IDEA.

For more information, please visit [BEESS Parent Information](#) or contact BEESS by email at [BEESSSupport@fldoe.org](mailto:BEESSSupport@fldoe.org) or by phone at 850-245-0475.