

# SUGGESTED ROLES FOR PROPORTIONATE SHARE COLLABORATION

## SPECIAL EDUCATION - GUIDANCE BRIEF



There are times when parents choose to enroll their children in private schools. When this happens, there should be a cooperation between the district where the student lives and the private school. Federal regulations require that a percentage of the amount of funds provided to students with disabilities in public schools be proportionately shared with students in private schools in the form of services and/or materials. The services and/or materials may not be the same as for students attending public schools. It is imperative that the schools and parents be cooperative for the educational benefit of the student.

### ► **Role of the public school district where the private school is located:**

1. Choose a district point-of-contact to communicate and liaise with the private schools in the district.
2. Formally invite the private school representatives, home school representatives, and parents, to a meeting(s) to discuss:
  - a. Child Find process
  - b. Determination of proportionate share
  - c. Consultation schedule and methodology for the school year
  - d. Provision of proportionate share services
3. Obtain a written affirmation from those who attended the consultation meeting.
4. Conduct child find to locate, identify, and evaluate all children suspected of having a disability who live in the district or those who are privately educated in the district.
5. Evaluate and determine eligibility for students privately educated, who are suspected of having a disability, at no cost to the parent.
6. If a student is presented as previously eligible for special education services, request documentation of eligibility from the parent.
7. If the LEA disagrees with the views of the private school officials on the provision or type of services, the local school district must provide the private school officials with a written explanation of the reasons the district chooses not to provide services directly or through a contract.
8. Write Individual Services Plans (ISP) for eligible students in grades K-12 with disabilities who are privately educated and receive a proportionate share of services.
9. Oversee all purchases, materials, equipment, and vendors paid for with federal IDEA funds to meet proportionate share obligations.
10. Include private school students identified with a disability who are receiving ISP services on the October 1 Child Count annually. The number of private school students counted on Child Count will be the foundation for proportionate share calculations and expenditures for the next fiscal year. For Child Count purposes, do not count the private school students

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with a disability who are identified but not receiving services through an ISP or Lindsey Nicole Henry Scholarship recipients.

11. Document private school student numbers – parentally placed private school students attending a school located in the district, and home school students educated in the district – for proportionate share federal data collection:
  - a. The number of private school and home schooled students evaluated;
  - b. The number of private school and home schooled students found to be eligible;
  - c. The number of private school and home schooled students being served by the LEA on an ISP. This does not include private school students residing in the district but privately educated outside the district.
12. Collect equipment/technology and materials at the end of the service year, or earlier if necessary. The resources should remain the property of the public school district.

### › **Role of the private schools located within the district:**

1. Update contact information for the public school district.
2. Establish a private school point-of-contact to communicate and liaise with the public school district.
3. Attend consultation meeting(s) with the public school district regarding suggested provision of proportionate share services.
4. Give a written affirmation of participation after the consultation meeting.
5. Disseminate Child Find information provided by the public school district to the parents of students attending the private school.
6. Make referrals as appropriate for evaluation of students who are suspected of having a disability.
7. Participate in the evaluation process in the collection of intervention data, completion of rating scales, and provision of information from student observations.
8. Provide information to the public school district about eligible students attending the private school.
9. Return special education equipment/technology materials to the public school district at the end of the school year.

### › **Role of parents of privately placed students located within the district:**

1. Inform the public school district or private school regarding concerns you may have for your child, if you think your child may have a disability.
2. If your child was evaluated and determined to have a disability under IDEA in need of special education and related services by a public school district, then provide a copy of

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the evaluation, eligibility, and current IEP or ISP to the private school and/or the public school. The private school and the public school will collaborate on services and supports for your child.”

3. Private school and public school personnel cannot communicate nor exchange confidential information regarding your child’s records without parent consent. Give written parental consent for a release of confidential information in order for both the public school and private school personnel to discuss and exchange your child’s records.

### IDEA References:

*Section 300.138 Equitable services provided and 300.140 Due process complaints and State complaints*

*Section 300.138:*

(a) *General*

(1) *The services provided to parentally-placed private school children with disabilities must be provided by personnel meeting the same standards as personnel providing services in the public schools, except that private elementary school and secondary school teachers who are providing equitable services to parentally-placed private school children with disabilities do not have to meet the highly qualified special education teacher requirements of 300.18.*

(2) *Parentally-placed private school children with disabilities may receive a different amount of services than children with disabilities in public schools.*

(b) *Services provided in accordance with a services plan.*

(1) *Each parentally-placed private school child with a disability who has been designated to receive services under 300.132 must have a services plan that describes the specific special education and related services that the LEA will provide to the child in light of the services that the LEA has determined, through the process described in 300.134 and 300.137, it will make available to parentally-placed private school children with disabilities.*

*Section 300.140:*

(a) *Due process not applicable, except for Child Find*

(1) *Except as provided in paragraph (b) of this section, the procedures in 300.504 through 300.519 do not apply to complaints that an LEA has failed to meet the requirements of 300.132 through 300.139, including the provision of services indicated on the child’s services plan.*

(b) *Child Find complaints—to be filed with the LEA in which the private school is located.*

*(Child Find Activities--identify, locate, and evaluate all children who are in need of special education and related services, including students in private schools). School districts are responsible for providing an evaluation at no cost to the parent to determine if a child is eligible for special education and related services.*

The contents of this handout were developed under a grant from the U.S. Department of Education. However, the content does not necessarily represent the policy of the U.S. Department of Education, and you should not assume endorsement by the federal government. Oklahoma State Department of Education, Special Education Services (405) 521-3351 | <http://sde.ok.gov/sde/special-education>