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Chapter 9: Private School Students

~~Note: For the purposes of this Manual, the term “private school student” is the same as a “nonpublic school student.” A homeschool student is not considered a private school student. A student who is enrolled in a virtual public school is not considered a homeschooled student for the duration that they attend that virtual public school.~~ In Idaho, private school students and homeschool students are both types of “nonpublic school students.” For the purpose of this chapter, “nonpublic school student” refers to private school students.

The IDEA and state law ~~IDAPA~~ include the following:

1. statutory and regulatory language, which states that students who are voluntarily enrolled in private schools are not entitled to all of the same services, including the right to a free appropriate public education (FAPE), as public school students;
2. ~~district~~ LEA responsibilities for special education students under Idaho’s dual enrollment law; and
3. the ~~legal-procedural~~ requirements that ~~come into play~~ apply when a parent unilaterally enrolls his or her child in a private school and asks the ~~district~~ LEA for reimbursement of these costs.

Section 1. Definitions of Private School Placements

In order to describe the ~~district’s~~ LEA’s responsibilities for serving private school students, it is helpful to distinguish three separate ways that students are placed in private schools. These are defined by who enrolls or places the student in a private school and why.

A. Definition of Voluntary Enrollment by a Parent

A parent may choose to enroll his or her child in a private school for a variety of personal reasons, such as to obtain a religious education; or to attend a school with a particular philosophy or curriculum; ~~or because the parent is dissatisfied with the services offered or provided by the district.~~ This is considered a voluntary enrollment. See Section 2 and Section 4 of this chapter for ~~district~~ LEA responsibilities.

Note: The IDEA distinguishes between for-profit and nonprofit private schools. If a student is placed in a for-profit private school by their parents, the service plan provisions do not apply.

B. Definition of ~~District~~ LEA Placement

At times, the ~~district~~ LEA may place a student in a private school or facility to fulfill its obligation to provide FAPE. These placements are always made by an individualized education program (IEP) team in accordance with the requirements of Section 3 of this chapter.

C. Definition of Unilateral Placement by Parents when FAPE is an Issue

A parent may enroll a student in a private school or ~~provide~~ seek services from a private provider at parental expense. The parent may initiate a due process hearing to seek reimbursement for the costs associated with the placement from the ~~district~~ LEA. All students who are placed by a parent when FAPE is an issue are also voluntarily enrolled in a private school. Specific

information regarding a parent's request for reimbursement of costs of student enrollment in a private school in this situation is included in Section 5 of this chapter.

Section 2. Students Voluntarily Enrolled by Parents

A. District LEA Consultation with Private School Representatives (may be done in coordination with Title 1 requirements for consultation)

To ensure timely and meaningful consultation **and prior to the final submission of the IDEA Part B application**, an **district LEA** will consult with private nonprofit elementary and secondary school representatives and representatives of parents of parentally-placed private school students with disabilities during the design and development of special education and related services for the students. The consultation process shall include:

1. Child Find: The ~~Child Find~~ **child find** process and how parentally-placed private school children suspected of having a disability can participate equitably, including how parents, teachers, and private school officials will be informed of the process.
2. Proportionate Share of Funds: The determination of the proportionate amount of federal special education funds available to serve **parentally-placed** private school children with disabilities ~~under this subparagraph~~, including the determination of how the amount was calculated. Refer to Section 2G of this chapter for information regarding the calculation of the proportionate share of funds.
3. Determination of Special Education and Related Services: Given the amount of funds to be dedicated by the **district LEA**, the discussion will include the consideration of how, where, and by whom special education and related services will be provided for parentally-placed private school students with disabilities, including **a discussion of:**
 - a. types of services, including direct services and alternate service delivery mechanisms;
 - b. how such services will be apportioned if funds are insufficient to serve all **parentally-placed private school** students; and
 - c. how and when these decisions will be made. ~~;~~ ~~and~~
 - d. ~~how the provided services will be evaluated.~~
4. Ongoing Communication: Clarify how the private school and **district LEA** will operate throughout the school year to ensure that parentally placed private school students with disabilities identified through the ~~Child Find~~ **child find** process can meaningfully participate in special education and related services. Annual consultation is not required to make these decisions. The **district LEA** determines the period between consultations based on changing circumstances within the **district LEA**, such as significant changes in the total amount of funds to be expended and/or the number and location of private school students with disabilities.

5. Written Affirmation: When timely and meaningful consultation has occurred:
 - a. the ~~district~~ LEA will obtain a written affirmation signed by the representatives of participating private schools;
 - b. if the representatives do not provide the affirmation within a reasonable period of time the ~~district~~ LEA will document ~~forward the documentation of the~~ consultation process and keep the documentation on file. ~~to the State Department of Education (SDE).~~
6. ~~District~~ LEA Decisions: Following consultation with the private school representatives, the ~~district~~ LEA will make final decisions concerning items a-dc addressed above in number 3.
7. Written Explanation by the ~~District~~ LEA Regarding Services: If the ~~district~~ LEA disagrees with the views of the private school officials on the provision of services or the types of services, whether provided directly or through a contract, the ~~district~~ LEA will provide to the private school officials a written explanation of the reasons ~~for the decision why the district chose not to provide services directly or through a contract.~~

B. Compliance with Consultation Process

1. General Compliance: A private school official has the right to submit a complaint to the Idaho Department of Education SDE that the ~~district~~ LEA:
 - a. did not engage in consultation that was meaningful and timely; or
 - b. did not give due consideration to the views of the private school official.
2. Procedure for Complaint
 - a. If the private school official wishes to submit a complaint, the official will provide the basis of the ~~noncompliance complaint by the district~~ LEA with the applicable private school provisions to the Idaho Department of Education SDE consistent with the procedures provided in Chapter 13.
 - b. In response, the ~~district will~~ LEA must forward the appropriate documentation to the Idaho Department of Education SDE.
 - c. The Idaho Department of Education SDE will render a written decision determining whether the ~~district~~ LEA complied with the consultation process requirements and provide the decision to the ~~district~~ LEA and private school official.
 - d. If the private school official is dissatisfied with the decision of the Idaho Department of Education SDE, the official may submit a complaint to the Secretary of the US Department of Education by providing the information on ~~noncompliance basis of the complaint against by~~ the LEA to the Secretary, and the Idaho Department of Education SDE will forward the appropriate

documentation to the Secretary.

C. Child Find Requirements

The ~~district~~ LEA shall have an ongoing ~~Child Find~~ child find system to locate, identify, and evaluate all students with disabilities ages three (3) through the day before the student's twenty-second (22nd) birthday ~~twenty-one (21)~~ who are enrolled by their parents in private schools located within ~~are educated within~~ the ~~district's~~ LEA's geographical boundaries. This includes students who have been placed by a parent in a private nonprofit elementary or secondary school (including a religious school) located in the ~~district~~ LEA's geographical boundaries regardless of the student's parents' state or local residency. The LEA of residence would have child find responsibilities for students placed in for-profit schools and for children aged three (3) to five (5).

Note: Parents can also ask the ~~district~~ LEA of residence (assuming it is different than the ~~district~~ LEA where the private school is located) to evaluate their student. ~~Both districts would have Child Find child find responsibilities and cannot share information between the districts without written parental consent. The district of residence would have Child Find responsibilities for students placed in for-profit schools and for children aged three (3) to five (5).~~ Both LEAs are required to conduct an evaluation if requested to do so by the parent and if the LEA suspects the child has a disability under IDEA, because these evaluations are conducted for different purposes.

1. If the parent requests the LEA of the child's residence to conduct an evaluation for purposes of making FAPE available to the child, that LEA must conduct the evaluation.
2. If the parent requests the LEA where the private school is located to conduct an evaluation for purposes of determining whether the child may be eligible for equitable services through a Services Plan, that LEA must conduct the evaluation.

The ~~Child Find~~ child find process will be designed to encompass the following:

1. The ~~Child Find~~ child find process will ensure the equitable participation of parentally-placed private ~~school and homeschool~~ students with disabilities.
2. Child Find activities for private school students will be similar to ~~Child Find~~ child find activities for public school students, which include the evaluation process within the same ~~comparable~~ timelines.
3. The ~~district~~ LEA will consult with private school representatives and representatives of parents who place their children in private schools regarding the ~~Child Find~~ child find procedures.

Note: The cost of ~~Child Find~~ child find is not counted toward the pro-rated proportionate share that the ~~district~~ LEA must spend on services for parentally-placed private school students.

D. Annual Count of Parentally-Placed Private School ~~Eligible~~ Students

The ~~district~~ LEA shall conduct an annual count of eligible students and report to the Idaho State Department of Education the number of private school children evaluated, the number found eligible and the number who are provided with special education services. Students aged three (3) to five (5) must have their special education services identified on an IEP or a Services Plan. This count will be used to determine the amount of funds the ~~district~~ LEA shall expend providing special education and related services to private school students in the next school year (see Section 2E). The ~~district~~ LEA will consult with representatives of private school students to determine how to conduct the count.

E. Provision of Equitable Services

Provision of equitable services applies to all eligible students who are enrolled by their parents in ~~attend~~ non-profit private elementary and secondary schools within the ~~district's~~ LEA's geographical boundaries regardless of where they reside. Parentally placed private school students with disabilities do not have an individual right to receive some or all of the special education and related services that the student would receive if enrolled in a public school. Equitable services ~~Services~~ offered to parentally-placed private school students are determined through the ~~district~~ LEA and private school consultation process and are documented in a Services Plan.

1. ~~District Responsibilities~~ Equitable Services

- a. Private school students with disabilities may receive a different amount of services than public students with disabilities; they are not entitled to every service or the amount of service that they would receive if enrolled in public school. This means that it is possible for a private school student to receive only a related service or piece of equipment.
- b. Special education and related services provided to parentally-placed private school students with disabilities, including materials and equipment, will be secular, neutral, and non-ideological.
- a. ~~The district is required to offer FAPE to private school students who reside in their district, including when the student attends a private school outside of the district boundaries. Unless the parent makes clear their intention to keep their child in the private school, the district of residence must develop an IEP.~~
- c. Services may be provided at a public school building, in a virtual environment, or at another agreed-upon site (including parochial schools to the extent consistent with the law) determined by the ~~district~~ LEA in consultation with appropriate representatives of private school students.
- d. Services provided to private school students with disabilities must be provided by personnel meeting the same standards as personnel providing services in the public schools.

2. Eligibility for Services

If an evaluation team determines that a student **qualifies for** ~~needs~~ special education and related services:

- a. When a student is determined to be eligible for special education and related services, the LEA in which the student resides must develop an IEP that outlines FAPE for the student so that the parent can make an informed decision regarding enrollment in the public school district or remaining enrolled in the private school. This LEA may not require that the student enroll in the public school before an offer of FAPE is made.
 1. If a parent is unsure of their intention to accept an offer of FAPE and enroll the student in public school or remain enrolled in the private school, the LEA of residence is required to develop an IEP that offers the student FAPE, to be implemented upon the student's enrollment in the LEA. The district has no obligation to implement the IEP unless the student enrolls in the public school.
 2. If a parent makes clear their intention to keep their child in the private school, the LEA of residence is not required to develop an IEP that offers the student FAPE.
- ~~a. district of residence shall offer to make FAPE available upon enrollment in a district public school. The district of residence must develop an IEP for the student who is parentally placed in private school unless the parent makes clear an intent not to consider public school enrollment. The district has no obligation to implement that IEP unless the student enrolls in the public school.~~
- b. If the parent chooses not to enroll the student in the ~~district~~ LEA of residence and designated funds are available in the ~~district~~ LEA in which the private school is located, a meeting will be held to develop a Services Plan **(SP)**. The meeting will include a representative of the private school to develop a **Services Plan SP**. The **Services Plan SP** is developed by the same members that would constitute ~~an~~ **the** IEP team.
- c. Any services the ~~district~~ LEA provides to a private school student shall be in accordance with **the student's Services Plan** ~~an~~ **SP**.

3. Services Plan **(SP)** Development

The **Services Plan SP** shall describe the specific special education and related services that will be provided to the student in light of the determinations that have been made by the ~~district~~ LEA. **There is no individual right to special education and related services.** To the extent appropriate, the ~~district~~ LEA shall initiate and conduct meetings to develop, review, and revise **Services Plans SPs** in accordance with the following requirements:

- a. Given the services that the ~~district~~-LEA has elected to provide to private school students, the **Services Plan SP** must meet the requirements of the IEP to the extent appropriate (see Chapter 5). The **Services Plan SP** excludes sections pertaining to:
 - 1) early childhood outcomes;
 - 2) extended school year (ESY) services;
 - 3) participation in statewide and district wide assessments;
 - 4) placement determination (least restrictive environment);
 - 5) Child Count federal report settings; and
 - 6) elements that, although typical for an IEP, would be inappropriate given the services the ~~district~~ LEA has elected to provide.
- b. ~~An~~ **A Services Plan SP** shall be in effect at the beginning of each school year and accessible to each person responsible for its implementation.
- c. Meetings shall be held to review and revise **Services Plans SPs** at least annually to address any lack of student progress toward goals and in the general education curriculum.
- d. The **Services Plan SP** team members include the same members as an IEP team. The ~~district~~-LEA will ensure that a representative of the private school attends these meetings or participates by some other means.
- e. A parent shall be invited to **Services Plan SP** meetings at a mutually agreed upon date and time. The invitation must indicate the purpose, time, and location of the meeting. The parent shall be informed that he or she may bring other persons knowledgeable about the student to the meeting. A copy of the **Services Plan SP** will be given to the parent.
- f. The team developing the **Services Plan SP** will consider the student's strengths and results of the most recent evaluations. The private school general education teacher should participate in the development, review, and revision of the **Services Plan SP**.
- g. If necessary for a private school student to benefit from or participate in the services the ~~district~~-LEA has elected to provide, the ~~district~~-LEA shall provide transportation from the student's school or home to the site where services will be provided. The ~~district~~ LEA shall take the student back to either the private school or the home, depending on the timing of the services. ~~In this sense, transportation is not a related service but a means of making the services offered accessible.~~ Transportation costs may be included in the ~~district's~~-LEA's expenditure requirement. The district is not required to transport the student from home to the

private school.

F. Dispute Resolution

Due process hearings are available to parents of private school students only on the issue of ~~Child Find~~ child find and evaluation. Parents may challenge decisions regarding the provision of services by filing a state complaint with the ~~SDE~~ Idaho Department of Education.

(See Chapter 13 for more information on dispute resolution options.)

G. Determining the Proportionate Funding for Private School Students

IDEA requires ~~school districts~~ LEAs to dedicate at least a proportionate share of funds received under Part B to provide services for parentally-placed students with disabilities who attend private schools within the geographical boundaries of the ~~district~~ LEA, regardless of their place of residence. To determine this proportionate amount, the ~~district~~ LEA shall first determine the number of these private school students through the ~~Child Find~~ child find activities developed in the consultation process with private school representatives.

The number of parentally-placed private school students is divided by the total (public and private) number of students with disabilities in the ~~district~~ LEA to arrive at the percentage of private school students with disabilities. This percentage is then applied to the total funding received by the ~~district~~ LEA under Part B grants Section 611 (ages three (3) ~~to through the day before a student's twenty-second (22) birthday~~ ~~twenty-one (21)~~) and Section 619 (ages three (3) to five (5) to determine the ~~district's~~ LEA's obligation.

Example for the XYZ School District:

- a. The number of parentally placed private school children within the district on December 1, ~~2017~~ 2023: **10**
 - b. The number of public school children with disabilities on December 1, ~~2017-2023~~: **90**
 - c. Percentage of private school children with disabilities: A divided by A+B = **10%**
 - d. Total Part B funds allocated for school year ~~2024-2025~~ ~~2017-2018~~: **\$150,000**
 - e. Amount the ~~district~~ LEA shall spend on providing special education and related services to parentally placed private school students in ~~2024-2025~~ ~~2017-2018~~: C x D = **\$15,000**
1. State and local funds may supplement but may not supplant the proportionate amount of federal funds required to be expended for parentally placed private school children with disabilities.
 2. The costs of private school consultations and of carrying out ~~Child Find~~ child find activities may not be paid from the proportionate share of funds.
 3. The cost of any special education or related service, such as direct service, consultation as

a service, equipment, materials, or transportation may be used to determine that the ~~district~~ LEA has satisfied its expenditure requirement for private school students with disabilities.

4. If all proportionate funds set aside for private school students in a given fiscal year are not expended in that year they shall be carried forward into the next year for the purpose of providing equitable services.

H. Expenditure Requirements Guidelines

1. The ~~district~~ LEA may place equipment and supplies that are purchased with Part B funds in a private school for a period of time needed for a program for eligible students with disabilities; however, the ~~district~~ LEA shall:
 - a. retain title and exercise continuing administrative control over all equipment and supplies;
 - b. ensure that all equipment and supplies are used only for Part B purposes;
 - c. remove equipment and supplies from a private school if no longer needed;
 - d. ensure that all equipment and supplies can be removed without remodeling the private school; and
 - e. remove equipment and supplies if necessary to prevent unauthorized use.
2. The ~~district~~ LEA may use Part B funds to pay an employee of a private school to provide services to students with disabilities when the employee performs the services:
 - a. outside of his or her regular hours of duty; and
 - b. under public supervision and control.
3. Part B funds shall not be used to:
 - a. finance the existing level of instruction in the private school or otherwise benefit the private school;
 - b. meet the needs of the private school; or
 - c. meet the general needs of students enrolled in the private school.
4. Part B funds shall not be used for repairs, remodeling, or construction of private school facilities.
5. If it is possible for classes to include students enrolled in both public and private schools, then the classes must not be organized separately on the basis of school enrollment or religion.

- ~~6. The district shall not appropriate any funds to private schools controlled by any church, sectarian, or religious denomination.~~

Section 3. Students Placed by the ~~District~~ LEA

When the ~~district~~ LEA places a student with a disability in a private school or facility, as a means of providing special education services through the IEP team process, the ~~district~~ LEA shall ensure the following:

1. All special education procedures and timelines are followed.
2. Special education and related services are provided in accordance with an IEP.
3. A representative of the private school or facility attends or participates in the meeting to develop the IEP. If the representative cannot attend other measures such as conference telephone calls will be used to ensure participation.
4. The responsibility for reviewing and revising IEPs remain with the ~~district~~ LEA.
5. Services are provided at no cost to the parent, including reimbursement to the parent for transportation and other costs associated with participation at an IEP team meeting conducted in a geographical area outside the jurisdiction of the ~~district~~ LEA.
6. The placement in the private school or facility is the least restrictive environment for that student.
7. The student is provided an education that meets state and district standards.
8. The student will participate in required statewide assessments.
9. The student is afforded the same rights as students with disabilities who attend public schools.
10. The parent is afforded the same rights as parents of students attending public schools.

In accordance with federal and state law, the ~~SDE~~ Idaho Department of Education shall approve special education programs in private schools and facilities. The ~~district~~ LEA shall ensure a program is approved prior to placing a student in that school or facility.

At the discretion of the ~~district~~ LEA, once a student with a disability enters a private school or facility, meetings to review and revise the IEP may be initiated and conducted by the private school or facility. If the private school conducts a meeting, the ~~district~~ LEA shall ensure that the parent and an ~~district~~ LEA representative are involved in and agree to any proposed changes in the IEP before the changes are implemented.

Section ~~5-4~~. Unilateral Placement of Student by Parents when FAPE is an Issue

A. General Provisions for Reimbursement to the Parent

1. The ~~district~~ LEA is required to make FAPE available to all eligible students with

disabilities. If parents do not access FAPE, then the ~~district~~ LEA is required to make provisions for private school students to receive Part B services consistent with Section 2E of this chapter.

2. The ~~district~~ LEA is not required to pay for costs of tuition, special education, or related services and associated costs at a private school or facility for a student who was unilaterally placed there by a parent if the ~~district~~ LEA made FAPE available to the student in a timely manner. If a parent disagrees with the availability of FAPE and there is a question about financial responsibility, the parent may request a due process hearing.
3. If the parent of a student with a disability enrolls the student in a private elementary or secondary school, without the consent of or referral by the ~~district~~ LEA, a court or hearing officer may order the ~~district~~ LEA to reimburse the parent for the costs of unilaterally placing the student in a private school if the court or a hearing officer determines that:
 - a. the ~~district~~ LEA had not made FAPE available to the eligible student in a timely manner prior to the time the parent enrolled the student in the private school; and
 - b. the ~~parent's~~ student's placement in the private school is appropriate.
4. A hearing officer may find a student's placement in a private school or facility by a parent appropriate even if the private school or facility does not meet state standards. A private school will be deemed appropriate if the parent demonstrates that the private placement provides educational instruction specially designed to meet the unique needs of the child with a disability, supported by such services as are necessary to permit the child to benefit from that instruction.

B. Denial or Reduction of Reimbursement to the Parent

A court or hearing officer may reduce or deny reimbursement to a parent for the cost of a unilateral placement in a private school or facility under the following circumstances:

1. The parent did not inform the ~~district~~ LEA that he or she rejected the placement proposed by the ~~district~~ LEA to provide FAPE and did not state his or her concerns and intent to enroll the student in a private school. This notification by the parent shall be provided to:
 - a. the IEP team at the most recent IEP team meeting prior to removing the student from the public school; or
 - b. the ~~district~~ LEA, in writing, at least ten (10) business days (including any holidays that occur on a business day) prior to removing the student from public school.
2. Prior to removal of the student from the public school, the ~~district~~ LEA informed the parent of its intent to evaluate the student (including a statement of the purpose of the evaluation that was appropriate and reasonable), but the parent did not make the student available for the evaluation.

3. A judicial decision finds unreasonableness with respect to the actions taken by the parent.

Reimbursement shall not be reduced or denied under any of the following circumstances:

1. The ~~district~~-LEA did not notify the parent of his or her obligation to **notify the LEA prior to unilaterally placing the student in the private school** ~~provide the notice set forth in number 3 above~~ or the ~~district~~-LEA prevented the parent from providing that notice.
- ~~2. The parent had not received written notice.~~
2. The ~~district's~~-LEA's proposed placement would likely result in physical harm to the student.

Reimbursement may not be reduced or denied at the discretion of a court or hearing officer for failure to provide this notice if:

1. The parents are not literate or cannot write in English, or
2. The ~~district's~~-LEA's proposed placement would likely result in serious emotional harm to the student.

Section 4-5. Dual Enrollment of Private School Students by Parents

According to Idaho Code, parents of private school students “shall be allowed to enroll the student in a public school for dual enrollment purposes.” Private school students who are dually enrolled are considered to be nonpublic school students. The ~~district~~ LEA shall allow private school students who are eligible for special education and who are otherwise qualified to participate in school programs under the dual enrollment law to:

1. enroll in general education courses under the same criteria and conditions as students without disabilities; and
2. receive accommodations in the general education courses for which they are enrolled on a Section 504 Plan, if needed.

Private school students may not dually enroll solely for special education and/or related services. The dual enrollment statute does not establish an entitlement to FAPE for a student with a disability. This means that there is no individual right to receive some or all special education services that the student would receive if enrolled in public school.

The reporting of attendance for private school students in the ~~district~~-LEA is allowed under dual enrollment. The Idaho Department of Education's Public School Finance Department's procedures will be followed to calculate the funding for dually enrolled students. ~~If a student attends at least 2.5 hours per week without rounding hours, he or she shall be included in the weekly aggregate attendance. The average daily attendance (A.D.A.) is computed as .5 if the aggregate weekly hours are 2.5 or greater but less than 4.0 hours. When there are 4.0 hours or greater, divide by 4 to get the A.D.A.~~

Dually enrolled private school students could also be eligible to receive services that have been agreed upon through the ~~district~~ LEA and private school consultation process. These services would be delivered through a SP.

Section 6. Out-of-State Students Residing in Residential Facilities

For school-age special education students from outside the state of Idaho who, due to the nature and severity of their disabilities, are residing in licensed public or private residential facilities within the state of Idaho, the ~~school-district~~ LEA in which the residential facility is located will provide education services to such students if requested by the licensed public or private residential facility and an agreement is entered into with the residential facility. The ~~district~~ LEA will be given the opportunity to provide input on any federally required education programs or plans for such students.

A. Contract for Education Services

The contract with a residential facility will include the following provisions:

1. The education services to be provided by the ~~district~~ LEA.
2. The amount to be paid by the licensed public or private residential facility to the district LEA.

The amount paid will be equal to the ~~district's~~ LEA's full cost of providing the education services delineated by the contract as determined by the ~~district~~ LEA. Such students will be excluded from all average daily attendance and other reports provided to the state that would result in the distribution of state funding to the ~~district~~ LEA.

In the event a residential facility fails to sign a contract with the ~~district~~ LEA agreeing to pay the full cost for providing education services, the ~~school-district~~ LEA in which the residential facility is located will not be responsible for providing education services to the out-of-state students residing in the residential facility.

C. Determining Residency

In determining whether a student is from outside the state of Idaho, the ~~school-district~~ LEA in which the residential facility is located will determine the primary residency of the student's parent or guardian. Proof of Idaho residency will be established by showing a ~~current an~~ Idaho motor vehicle driver's license, payment of Idaho state income taxes, utility bill from a primary residence, or other documentation evidencing residency within the state of Idaho.

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