



Affirmation of Consultation with Private School Officials and Representatives of Parents

P.L. 108-448 INDIVIDUALS WITH DISABILITIES EDUCATION IMPROVEMENT ACT OF 2004 (IDEA, 2004) REQUIRES THAT TIMELY AND MEANINGFUL CONSULTATION OCCUR BETWEEN THE DISTRICT AND PRIVATE SCHOOL REPRESENTATIVES AND REPRESENTATIVES OF PARENTS OF PARENTALLY PLACED PRIVATE SCHOOL STUDENTS WITH DISABILITIES.

The following topics are to be discussed during the consultation:

- The child find process and how parentally placed private school students suspected of having a disability can participate equitably, including how parents, teachers, and private school officials will be informed of the process;
- The determination of the proportionate amount of Federal funds available to serve such students, including the determination of how the amount was calculated;
- The consultation process among the district, private school officials, and representatives of such students, including how such process will operate throughout the school year to ensure that such students identified through the child find process can meaningfully participate in special education and related services;
- How, where, and by whom special education and related services will be provided for such students, including a discussion of types of services, including direct services and alternate service delivery mechanism, how such services will be apportioned if funds are insufficient to serve all [such students], and how and when these decisions will be made; and
- If the district and a private school official disagree on the provision of services or types of services, the district will provide a written explanation of its decision to the private school official.

The district shall obtain a written affirmation signed by the representatives of participating private schools. If such representatives do not provide such affirmation within a reasonable period of time, the district shall forward documentation of the consultation process to the State Department of Education (SDE).

A private school official shall have the right to submit a complaint to the SDE that the district did not engage in consultation that was meaningful and timely or did not give due consideration to the views of the private school official. The district shall forward the appropriate documentation to the SDE. If the private school official is dissatisfied with the decision of the SDE, such official may submit a complaint to the Secretary of Education by providing the basis for the noncompliance.

Provision of equitable services shall be provided by employees of the district or through contract by the district with an individual, association, agency, organization, or other entity. Special education and related services provided to such students, including materials and equipment, shall be secular, neutral, and non-ideological.

The control of funds used to provide special education and related services and title to materials, equipment, and purchased with [Federal special education] funds shall be in the district for the uses and purposes provided, and the district shall administer the funds and property.

We agree that the district provided timely and meaningful consultation regarding the bulleted items above.

CONTRACT INFORMATION

District Official & Date

Private School Official & Date

District Name & Phone Number

Private School Name & Phone Number

(To be completed annually)