

REQUIRED EXPENDITURES FOR PARENTALLY PLACED PRIVATE SCHOOL STUDENTS

SPECIAL EDUCATION - GUIDANCE BRIEF



The Local Education Agency's (LEA) obligations to parentally placed private school students with disabilities are different from its responsibilities to those enrolled in public schools or to students with disabilities placed in a private school by a public agency (rather than by parents) as a means of providing Free Appropriate Public Education (FAPE). **Parentally placed students with disabilities do not have an individual entitlement to services they would receive if they were enrolled in a public school. Instead, the LEA is required to spend a proportionate amount of Individuals with Disabilities Education Act (IDEA) federal funds to provide equitable services to this group of students.** Therefore, it is possible that some parentally placed students with disabilities will not receive any services while others will. For those who receive services, the amount and type of services also may differ from the services the student would receive if placed in a public school by the parents or in a private school by a public agency. LEAs are required to consult with private school representatives and representatives of parents of parentally placed students with disabilities during the design and development of special education and related services for these children.

Each LEA must expend a proportionate share/percentage of federal IDEA funds on equitable special education and related services. To meet the proportionate share requirement, each Local Education Agency must spend the following on providing special education and related services (including direct services) to parentally placed private school students with disabilities. The proportionate share under each federal grant is calculated by taking the number of students parentally placed in private schools located in the LEA (as reported on the October 1 Child Count) who have been identified through Child Find activities compared to the total number of students with disabilities under the IDEA enrolled in the LEA who have been identified through Child Find activities.

***Federal funds are disbursed from the SDE to the LEA. Monetary funds are not issued directly from the LEA to the private school. Rather, a proportionate share is provided to the private school in the form of services and materials.**

› Flow Through (Project 621)

- For students ages 3 through 21, an amount that is the same proportion of the LEA's IDEA Part B Flow-Through funds as the number of students with disabilities ages 3 through 21 who are enrolled by their parents in private schools, including religious, elementary schools, and secondary schools located in the LEA, is the total number of students with disabilities in its jurisdiction ages 3 through 21.
- Example of Purchases for Materials and Services:
 - i. instructional materials and supplies
 - ii. workbooks and books
 - iii. periodicals
 - iv. staff training
 - v. materials and supplies
 - vi. testing materials
 - vii. related service providers (e.g., OT, PT, Speech Therapy, etc.)
 - viii. paraprofessional support
 - ix. technology

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- The LEA will budget the proportionate share funds on IDEA Part B Consolidated Application after consultation between the LEA and the private schools occurs. The application can be found on the School LEA Reporting Site and must be completed by October 31st.

› **Preschool Private (Project 641)**

- For students ages 3 through 5, an amount that is the same proportion of the LEA's IDEA Part B Preschool funds as the number of students with disabilities ages 3 through 5 who are enrolled by their parents in private, including religious, elementary schools, and secondary schools located in the LEA, is to the number of students with disabilities in the jurisdiction ages 3 through 5.
- **NOTE: The LEA's obligation to make FAPE available through an IEP with a full continuum of services to eligible children with disabilities ages 3 through 4 remains. However, for students who are entering Kindergarten and parents are choosing to place their child in a private school, then the amount and type of services will be documented on an ISP which may differ from the services the student would receive on an IEP if placed in public school.**
- Private Preschool expenditures and purchases are the same as mentioned under Flow Through Project 621. The LEA will budget the proportionate share funds on IDEA Part B Consolidated Application, after consultation between the LEA and the private schools occurs. The application can be found on the School LEA Reporting Site and must be completed by October 31st.

› **Proportionate Share Carryover**

- If a district hasn't expended all of the funds for equitable services described above by the end of the fiscal year for which funds were appropriated, the district must spend the remaining funds for special education and related services on parentally placed private school children with disabilities during a carry-over period of one additional year plus 3 months. The allocation has a 27 month lifespan.
 - **For example:**
 1. First Year (12 months)
 2. Second Year (15 months)

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>