

**Procedures for Nonpublic and Home School Services**

The Elkhart Community Schools provides special education and related services for any student with an identified disability for all nonpublic or private, parochial, or home schooled students within the Elkhart Community Schools boundaries. Services may be less than for students who attend the public school, and may be provided at the nonpublic school, at home, or at a public school depending upon the individual situation.

An Elkhart Community Schools student services administrator or coordinator will serve as case conference coordinators for all nonpublic case conferences. When a case conference determines a student is eligible for, and in need of, special education services, the school personnel will provide information to the parent about the *Free and Appropriate Public Education (FAPE).* If the parent rejects the offering of FAPE, the school personnel will develop a service plan that outlines the services that will be provided to the student.

**Evaluation procedures**

For students attending nonpublic or home schools located within the Elkhart Community Schools district:

* For students who have legal settlement within the Elkhart Community Schools boundaries.
* When either a complete initial evaluation or language and speech impaired evaluation are requested by parent or staff, the Elkhart Community Schools will complete the evaluation and convene the case conference to determine eligibility.
  + If the student is determined to be eligible to receive special education services, the case conference committee (CCC) will first,
  + Discuss what FAPE is and explain the process of development of the individualized education plan (IEP). The discussion about what would be offered if the student were to attend a public school should be clearly documented in the case conference notes and proceed to the development of the service plan.
  + If the parent would like to proceed with the development of the IEP, or if services provided in the public school would be significantly more than what will be provided in the private school,
* Develop an IEP and identify the appropriate services which would be provided if that student attended a public school. This is the offering of the FAPE.
* If, after reviewing the proposed IEP, the parent wants the student to continue at the nonpublic school, he/she should sign the *rejection of services in a public school form*.
* The service plan should then be developed to reflect the special education/related services that the student will receive. The parent will sign the *service plan acknowledgement form*.
* A parent/guardian only needs to be offered FAPE initially. Subsequent evaluations only require that the service plan be updated.
* For students who have legal settlement outside of the Elkhart Community Schools boundaries.
* When either a complete initial educational or language and speech impaired evaluation are requested by parent or staff:
* Parents will be informed by a public school staff member that they have the right to have the evaluation completed by either their district of legal settlement, or the serving district, Elkhart Community Schools.
* If the parent would like the evaluation completed by Elkhart Community Schools, parent consent will be obtained and the evaluation will proceed according to the procedures for initial evaluation.
  + - Staff will request the parent’s permission to obtain and share record with the district of legal settlement. If the parent agrees, the district of legal settlement will be invited to participate in the case conference and to offer FAPE if the student is found eligible for special education and related services and is interested in returning to their home school.
    - If the parent refuses to provide permission to release and share school records, once eligibility as a student with a disability is determined. Elkhart Community Schools will only develop the service plan and not the FAPE individualized education plan (IEP). Parents will be instructed by Elkhart Community Schools staff that they will need to contact the district of legal settlement to obtain the FAPE individualized education plan (IEP). The parent will sign the *service plan acknowledgement form*.
    - If the parent would like the evaluation completed by their district of legal settlement, the Elkhart Community School special education director will contact the appropriate personnel to complete the evaluation.
    - The case conference will take place at the nonpublic school. If the student is found eligible for special education and/or related services, the district of legal settlement will complete the FAPE individualized education plan (IEP) and present to the parents. If the district of legal settlement does not use *ISTART7*, the parent will be asked to sign the *rejection of services in a public school* form which will be attached to the service plan. Elkhart Community Schools will create the service plan and ask the parent/guardian to sign the *service plan acknowledgement form*.

**Individualized education plan (IEP) procedures**

The services provided to a child with an identified disability who attends a nonpublic school or who are home schooled may be less than those that are provided for students who attend public schools.

**Initial case conference**

When the initial evaluation is completed, a case conference, with an Elkhart Community Schools special education administrator present, must first find the student eligible for special education. If the student is found eligible for special education, an IEP will be developed by the Elkhart Community Schools private school consulting teacher. This IEP will be developed to meet the student’s needs if they were to attend their home school. The complete IEP goals, benchmarks, and services will be developed to provide the student with FAPE. The proposed special education and related services will be listed on the service page of the IEP.

If the parent/guardian chooses to continue the student in the nonpublic or home school, the parent should sign the *rejection of public school services form*.

The CCC will develop the service plan to identify major goals and benchmarks for the student. The special education and related services provided to the student will be based on those listed below. The service plan, services and progress reports will be discussed with the parent at the conference. All special education and related services will be provided at the nonpublic school. All home school students will be provided services at an identified public school building.

**Maximum special education and related services for service plan**

* Language and speech impaired (LSI)/occupational therapy (OT)/physical therapy (PT)/assistive technology
* Ten (10) minute telephone or direct consultation with teacher or parent up to two (2) times per week and/or;
* Up to a maximum of two (2) - forty (40) minute sessions for three (3) weeks (maximum 240 minutes or four (4) hours per month).
* All other special education services
* Ten (10) to fifteen (15) minutes telephone or direct consultation with teachers or parent/guardian up to two (2) times per week and/or;
* Up to a maximum of two (2) – fifty (50) minute sessions per week (maximum 400 minutes or six (6) hours and forty (40) minutes per month).

The discussion of services needs to be clearly documented in the CCC notes to show the child’s needs, the services offered in the IEP and then the service plan developed if continuing at the nonpublic school. The IEP and the service plan should be stapled together and sent to the Student Services Department.

**Case conference committee (CCC)**

The services for students in nonpublic schools must be reviewed annually and a new service plan developed. The special education director, supervisor or coordinator serves as the case conference coordinator for all case conferences. If the student is continuing in the nonpublic school, only the service plan needs to be completed.

**Reevaluation**

Student in nonpublic schools should be considered for reevaluation every three (3) years. The Elkhart Community Schools procedures for reevaluation should be followed. Parent/guardians should be offered the option of an evaluation even if the student with a disability is not receiving special education or related services.